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HONOLULU, H. T., FRIDAY, MAY 9, 1902—SEMI-WEEKLY.

WHOLE N. 2382

HAWAII AT WASHINGTON

Island Matters at the Federal Capital.

(Special to The Advertiser.)

WASHINGTON, D. C., April 24.—The exodus of prominent Hawaiians at the Federal Capital was completed today. Governor Dole did not get away for Boston till yesterday afternoon, twenty-four hours later than he had expected. Senator and Mrs. Carter have gone to Rochester, N. Y., and Land Commissioner Boyd left this morning, intending to sail by the Sonoma from San Francisco, the same steamer that carries this letter.

Incalculable good has resulted from the presence of those and other representative citizens of the Territory in Washington during the last two weeks. For the lack of any substantial men to press matters and measures affecting the Territory, Hawaiian interests had fallen into neglect. Men in Congress had become disgusted with the character of information vouchsafed them on bills pending there. When such things happen nothing is accomplished.

But in the last two or three weeks all high officials in different branches of the Government, from the President down, have had opportunity to come in contact with men of affairs from Hawaii. The outcome is as was to have been expected. Hawaiian questions have been considered seriously and with some respect. Officials have had a chance to get in touch with the situation out there and to become acquainted with the men they are transacting Government business with.

The climax in this direction came at

Mr. William Haywood's notable dinner last Monday evening in honor of Governor Dole. This was a very happily conceived idea and will bring lasting good. The prominence of the guests and their expressions of confidence in the Governor were alone sufficient guarantee of the cordiality with which they regard the present Territorial regime. With such men as Speaker Henderson of the National House, and Senator Culom declaring friendship to the territory and its present officials there is no questioning that Territorial interests at the Capitol are in friendly hands.

LAND COMMISSIONER BOYD.

Land Commissioner Boyd left here, thoroughly satisfied that the measures before Congress in which he has been specially interested will be dealt with as the Territorial authorities desire. He and Governor Dole were assured that Secretary Hitchcock would recommend the sending of a commission to the Islands this summer to study the land situation. The Secretary has not yet reduced his recommendation to writing, as far as I am able to learn, but will do so. Mr. Boyd is very enthusiastic on the opportunity for starting a trade in Hawaiian coffee and declares that he proposes to have some of the coffee sent here for the encouragement of the trade.

"Our people ought to open a little store in Chicago," said he, "and serve coffee free for a time. It would create a demand for the product, at a comparatively small expense, and eventually the grocer would have to handle it. The excellence of the product is such that it would introduce itself after a fair trial."

Mr. Boyd is convinced that the Hawaiian ditch bill can not pass the Senate, after the strong recommendations made against it by Governor Dole and other officials. Mr. Boyd has submitted a statement to Chairman Foraker, of the Senate committee, regarding the bill.

The Hawaiian Land Commissioner has made an excellent impression during his three months stay here and has worked diligently for the advantage of the territory. An interview in the Washington Post this morning well expresses his sentiments towards officials here. The article, as printed, was as follows:

"My trip across the continent and stay in Washington have been full of instruction and interest," said Land Commissioner E. S. Boyd, of Honolulu, a native Hawaiian, yesterday at the Willard. "My long delay in Washington was unexpected but I appreciate the reason, for while matters affecting Hawaii are of vital interest to us, the consideration of them comprises but a tiny portion of the demands that are made upon the time and attention of Congress and other officials."

The interest in Hawaii displayed here is most gratifying, but this interest will be largely augmented when more residents of the States visit the Paradise of the Pacific and see for themselves the beautiful place which nature has prepared for the Hawaiian people who welcome with open arms the advent of the white brothers on their mainland, and are willing to share with them the attractions of the Hawaiian Islands.

I have learned of the care and attention paid to the general interests of the great mass of the people, through the general departments and bureaus of the Government, all of which are ready to furnish all kinds of assistance to those who ask. With all his tremendous duties, the President still found time to learn of the compara-

tive little matters touching the welfare of our people. I wish that all Americans, with whom we of Hawaii are as one, could see the President as did I. When I spoke of what we wanted to do for the people, his emphatic "good" and his general appearance of interest were an inspiration, and I return to Honolulu more proud than ever that I am now an American citizen.

"The Secretary of the Interior, the Senators and Representatives of the various committees having charge of Hawaiian affairs, and the various heads of the subdepartments all have appeared glad to hear what I had to say, and to offer their assistance in furthering the ends of my mission here. I cannot thank sufficiently all those in Washington who have proved themselves the friends of Hawaii and have done so much to make my stay here profitable and pleasant."

MR. PRATT ARRIVES.

Mr. J. G. Pratt, of Honolulu, arrived early this week, to look after the fire claims bill. He has been getting his bearings, but stated today that he had nothing new yet to report. Mr. Thurston and Delegate Wilcox, as I stated in my last letter, held several conferences with officials about the matter. Senator Morgan, of Alabama, was consulted and agreed to introduce the fire claims bill in the Senate, with provisions, which it was believed would be wisest in presenting the matter there. The bill will be pressed as urgently as possible. Mr. Pratt is making his headquarters with the Wyoming contingent in Washington and hangs out, when at the Capitol, in the room of the Senate committee on claims, with Senator Warren.

Nothing has yet been done with the Senate apportionment bill. Senator Carter was given another hearing by the House committee on territories and made an urgent appeal for the Republicans of Congress to stand by the Republicans in Hawaii. The bill will very probably be passed in Congress this session, substantially as reported to the House already and as told in previous letters.

The last bulletin issued by the Marine Hospital Service here has the following as to the Hawaiian Islands:

Quarantine on outgoing vessels at Honolulu.

Honolulu, H. I., March 26, 1902.

Sir: I have the honor to report the outgoing quarantine transactions at this station for the week ended March 22, 1902, as follows:

Steamships inspected and passed, 4; sailing vessels inspected and passed, 4; cabin passengers inspected and passed, 79; steerage passengers inspected and passed, 44; crew inspected and passed, 58; pieces of baggage disinfected, 85; sailing vessels disinfected, 3. Respectfully,

L. E. COFER,
Passed Assistant Surgeon, U. S. M. H. S., Chief Quarantine Officer, Hawaii.

The Surgeon General, U. S. Marine Hospital.

Delegate Wilcox stated today that

ex-Queen Liliuokalani would probably leave Washington for Hawaii about the middle of June, staying something like a week in San Francisco.

The Delegate is now looking much better, after his long illness. He has blossomed out at the Capitol with a new spring suit and talks with much spirit.

ERNEST G. WALKER.

PRESENT HOLDINGS OF CUBAN SUGAR

WASHINGTON, May 1.—The inquiry into the present holdings of Cuban sugar and Cuban lands, ordered by the Senate, was begun today by the subcommittee on Cuban relations. President Henry O. Havemeyer, of the American Sugar Refining Company, was the first witness, and all the members of the sub-committee—Messrs. Platt of Connecticut, Burnham and Teller, were in attendance. Senator Patterson also was present. Others present with Mr. Havemeyer were Arthur Donner, treasurer of the company and Henry C. Mott, its sugar buyer. All of them were sworn.

Replying to questions by Senator Platt, Mr. Havemeyer said his company was generally known as the sugar trust, and that its refineries are located as follows:

In New Jersey, one; New York, three; Massachusetts, two; Philadelphia, two; New Orleans, one.

"Will you," said Senator Platt, "tell the committee how much Cuban sugar, if any, you have purchased, and if now held by your company?"

"Since early in February last, we have purchased 50,000 tons, or 256,000 bags, or about ten days' supply," re-

plied the witness. "Of that quantity 28,000 tons is now in process of shipment from Cuba."

The prices paid had he said ranged from \$1.75 to \$1.93 the higher price being paid on March 13 and the lower on April 22.

"Where do you buy your raw sugar?" "All over the world—in Cuba, Java, Hamburg, Trieste, the British West Indies, South America—wherever sugar is grown."

"Does the 50,000 tons you mention represent your entire purchases in Cuba since the first of January?"

"No, we have bought all told 41,000 tons of Cuban sugar during the present year, or about three-fourths of a month's supply, our consumption being about 35,000 tons per week."

"Do you control any sugar in Cuba other than that purchased?"

"None whatever, in any manner."

"Have you taken any options on Cuban sugars?"

"I have not."

The Boer Conference.

PRETORIA, May 1.—The general meeting of the Boer leaders, at which a final decision on the subject of the peace negotiations is expected, will take place at Vereeniging, Transvaal, May 15, not May 25, as announced.

Brooklyn Arrives Home

NEW YORK, May 1.—The armored cruiser Brooklyn arrived off Sandy Hook this morning. Rear Admiral Remond, commander-in-chief of the Asiatic station, left Castle P. I. March 1, on the Brooklyn, having completed his term of service on the station.

CHINA, JAPAN AND PORTUGAL ACT ON HAWAII'S FIRE CLAIMS

WASHINGTON, D. C., April 30, 1902.

The Pacific Commercial Advertiser, Honolulu, Hawaii, per S. S. Sonoma from San Francisco, California.

The House Saturday passed Powers' apportionment bill without change. Stackable's relief bill goes to the President. Identical Portuguese, Chinese and Japanese notes will be framed asking relief on the fire claims.

ERNEST G. WALKER.

THE FIRE CLAIMS.

WASHINGTON, D. C., April 26.—Mr. J. G. Pratt, representing the Chamber of Commerce of Honolulu, reached Washington Tuesday last. He was met up on his arrival by several Hawaiian citizens, Messrs. Boyd, Gehr, and Representative Wilcox and accorded a cordial welcome. Tuesday evening Mr. Pratt had a conference with Governor Dole and went over the proposed plan of relief for those who had suffered in the fires incident to the suppression of the bubonic plague epidemic. Mr. Pratt had prepared a bill to be introduced in lieu of that previously introduced by Delegate Wilcox, and Mr. Pratt made this the basis for framing a measure for introduction. Later Mr. Pratt had conferences with Senators Morgan, Foraker, Clark and Warren of Wyoming, Representative Mondale and others and has now framed a bill which will be introduced in the House by Delegate Wilcox and in the Senate by Senator Morgan early next week. Mr. Pratt is receiving the active support of a number of influential members of Congress and, if it is at all possible to secure the passage of the desired measure, he will be successful.

E. G. WALKER.

CABLE MAN EXCLUSION MEASURE SIGNED

(Special to The Advertiser.)

SAN FRANCISCO, May 1.—Seeing is believing, and Hawaiians who have been skeptical concerning the statements that a cable would shortly be laid from here to Honolulu will be more credulous when they meet S. S. Dickenson, superintendent of the Mackay cable system, who will arrive in Honolulu on the Sonoma.

Superintendent Dickenson goes to Hawaii to select a landing place for the giant strand which will put Hawaii on the pulse of the world, and which will do more to build up the Territory and bring to it the full energy of America than any other thing.

The cable will be in operation by the last of November. On Thanksgiving day, Hawaiians abroad may send their alohas to the loved ones at home and receive their alohas on the same day.

Unless some unforeseen accident occurs, the cable will be on the bottom of the sea between here and Honolulu before November 15, and regular communication established. Rates will be definitely fixed in the near future and Superintendent Dickenson assures me that they will be as low as possible. They will be lowered, doubtless, as business increases, and as the cable is extended to Manila.

The Advertiser will be able to give the principal news of the world within a few hours of its happening. Investors can keep their eyes on their office tickers and read the changing values of Hawaiian sugar stocks as affected in Hawaii. Wealthy men who have hesitated to make visits to Hawaii on account of severance from their affairs for at least a fortnight, will rest in comfort on the lawns of the Hawaiian or Moana, and mark the fluctuations of Wall street on the speeding tape.

Men-of-war and merchant ships of all nations will rendezvous at Honolulu for orders. If Uncle Sam should chance to war with a foreign nation or the Orient should become ablaze with the light of battle—and Russia and Japan are eyeing each other very hard now—Honolulu would become one of the principal centers of information and a point of vantage for this country, the value of which can never be fully estimated until the trial comes.

The cable, to my mind, is the solution of the problem of Hawaii's future. So thinks John W. Mackay, one of the astute commercial kings of the universe. Mackay was with Superintendent Dickenson at the Palace Hotel when I met the latter. I chatted with both and was impressed by the wonderful knowledge of cable systems possessed by Dickenson. He is one of the most famous authorities on cables and has had years of experience in their laying, repairing and management.

Honolulu's business leaders will do well to make much of Dickenson when he arrives and impress on him the resources and possibilities of Hawaii. He is a man of much influence and can do a great deal personally to advance the interests of the Islands.

FREDERICK O'BRIEN.

BROOKLYN ARRIVES HOME

NEW YORK, May 1.—The armored

cruiser Brooklyn arrived off Sandy

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FREDERICK O'BRIEN

FRANKLIN AUSTIN FEELS SLIGHTED BY ROOSEVELT

(Special to The Advertiser)

SAN FRANCISCO, May 1.—Franklin Austin, the former editor of the *Paradise of the Pacific* and *Austin's Weekly*, and once the leader of the Francis Murphy temperance movement in Hawaii, is here. He announces that he has started "a campaign of education on the mainland in the interests of the Home Rule party of Hawaii, and against the oligarchical Dole party." He arrived to find that President Roosevelt had endorsed the Dole administration, whereas, Austin says, he had confidently expected Roosevelt to await his coming and his advice on these important matters.

This "queer action of Roosevelt," as Austin expresses it, will necessitate his changing his whole campaign. Whereas, as he had hoped to deal directly with the President and Congress, he says he will now achieve his purpose—the driving into eternal and innocuous desuetude of the Dole people—through the powerful agents of press and rostrum.

Austin will take his pen in hand, mount the stump, and write and talk for his beloved Hawaii. He called on me a few days ago to offer me the position of "Campaign Manager and Special Secretary to Franklin Austin."

He said: "I represent the Home Rule party, and are sent on a special mission by Senator David Kalauokalani. This venerable native will shortly arrive here at my instigation, to tour the country with me. His very appearance will arouse sympathy for the cause he leads. I want you to take charge of this tour, see that the newspapers get full accounts of our speeches and aid in the work."

I thanked him but expressed my fear that the necessity of working for a living would prevent me from accepting.

"We have plenty of money behind us," said Austin. "Even since I have arrived here, I have been offered all the funds needed for our purpose."

Despite his solicitation I refused the tempting offer but told him that the people of Hawaii would like a message from him concerning his mission.

"The Advertiser won't print it," he said.

"I feel sure it will," said I.

Turning to my stenographer, Austin dictated one of a series of brown paper cigarettes, and dictated the following, which he said he would like to have printed in the San Francisco Chronicle:

"Mr. Franklin Austin, of Honolulu, has been in town about a week and is suspected of having more to do than he cares to say concerning the political fight of the Hawaiian people. He has been non-communicative and would not give any information for publication until today, but consented to give the Chronicle an interview concerning his mission to this country as the representative of the leaders of the Hawaiian people.

"Mr. Austin is known to have been in sympathy with the Hawaiian cause for many years. In the days of the monarchy, besides holding other important positions under the government of his majesty, Kalakaua, he held from 1865 to 1887 the confidential position of special private secretary to his majesty, during which time he was entrusted with two important foreign missions. He was largely instrumental in forcing a coup d'etat in the fortuitous revolution of 1887 that attempted the dethronement of the King and the establishment of a dictatorship at that time, under the insurgent leader, Lorrin A. Thurston. Mr. Austin, at that time, declared himself at a critical moment for the King, risking life and fortune to prevent the slaughter of the Hawaiian people. Before Kalakaua died, Mr. Austin promised the King that he would never forsake the cause of his people, and since annexation has been suspected of guiding them in their political struggle for liberty from present conditions of class rule.

"Mr. Austin states that he is here as the authorized agent of the Home Rule party, which controls the majority vote of the Territory of Hawaii, for the purpose of arranging a campaign of education in the United States with the purpose of enlightening the people of America as to the sentiment that animates the people of the Hawaiian race in their present attitude against Governor Dole's administration.

"Franklin Austin is a brother of Territorial Auditor Austin, and son of the late Judge S. L. Austin, who went to Hawaii in 1848. Mr. Austin was born in Hilo forty-four years ago. Some members of his family have been prominent in the Government judicial service for fifty years.

"Franklin Austin arraigns the Dole government in scathing terms, on behalf of the Home Rule party, and says "I am here on what many of my missionary friends consider a very quixotic enterprise, that of bringing the American people to a realizing sense of the injustice being done the people of the Hawaiian race and all others not of their political views in the Territory of Hawaii. We must set aside in basing a fight or any campaign against the Dole government, that if they had power through political chicanery to warp the judgment of such an independent spirit as President Roosevelt that they also may possess the influence with Congress to accomplish their avowed object of disfranchising the Hawaiian people through party qualification. Nine people out of ten in this country will ridicule the idea that such a measure could be passed through Congress but when the conditions in Hawaii are considered, and the history of the past is remembered, it is not well for the interested in Hawaiian freedom to rest upon this assurance. We must continue to agitate and bring the people of this country to a realizing sense of the injustices practiced by official power backed by the combined sugar interests of Hawaii aided by great exchequer of capital in this country, and the object of my mission is to show that the true people are concurring for the same principles which are embodied in the Dole party."

classes of this city when they elected Mayor Schmitz for office, namely, that the people must rule.

I found upon my arrival in San Francisco that Mr. Dole had been confirmed as Governor of Hawaii by President Roosevelt, who, to my astonishment, stated officially that Governor Dole was entitled to the confidence and respect of his administration, and this in spite of the protests and arraignments made by the leaders representing three-fourths of the elective of the Territory of Hawaii. We know that the President is in sympathy with the cause of Hawaiian liberty, and yet circumstances seem to have compelled him to place behind Dole's government the entire autocratic power of the United States administration, fathoming all of its iniquities and autocratic rule, which is un-American.

"There can be but one explanation of this attitude on the part of the President. The missionary government in Hawaii has maintained for years through their wealthy church organization and connivance with the whisky trust and sugar interests, a social and business boycott in Hawaii which would have made government by any other class impossible; any other government than that of which Mr. Dole was the head could not, it was represented to the President, obtain sufficient credit to maintain itself, and the Home Rule party were not given a hearing or asked to submit plans which would make the government of the Territory safe, changing the present form of government to that of popular rule."

"The Hawaiian people are committed to a policy which would induce immigration from the mainland, the establishment of homes upon American traditional lines, as desired by President Roosevelt. The desire of the Dole party is to disfranchise their property qualification to the people who are asking for these American institutions, and prevent the immigration to the country. If conditions continue as they are, every American now in Hawaii who is able to do so will be compelled to leave the country within a year. The result would be that the entire electorate would be coerced and be subservient to the sugar combine, which is the object aimed at."

"I propose to appeal to the civic pride of the municipalities of the United States and the people whom I represent believe that the responsibility rests with the newspapers of the United States, who were largely instrumental in bringing about the war with Spain and causing the annexation of Hawaii, and that they should complete the work thus begun by guaranteeing full measure of American freedom to the people thus compelled to become Americans."

"I called upon Mayor Schmitz Friday, and although he was exceedingly busy with the strike, I found him sympathetic, as the cause which he represents and that which I represent are identical. I brought to him a message from our great leader, the Hawaiian commoner, Senator David Kalauokalani, and his honor was pleased to instruct me to convey to my principal his hearty sympathy for the Hawaiian cause, and to state to him that in the event of his coming to this city to speak to the people of this municipality, that he would be pleased to extend to him all the courtesies in his power. Thus, although we have no influences, either political or monetary, to assist us in the struggle for the cause of liberty, I shall be able to bring hope to the hearts of the Hawaiian leaders with the sympathy of the man of all others in America today, who stands prominent as the representative of the great laboring masses of this country. I arraign Dole and his administration on the following counts:

"First. For using the influence of his political position in an attempt to curtail suffrages of American citizens."

"Second. For obstructing the extension to the Territory of Hawaii of American institutions of self-government, by vetoing the county government bill."

"Third. For conducting a high-handed, dictatorial, oligarchical government."

"Fourth. For shameless favoritism in countenancing the most outrageous jobbing in public land in the interests of the sugar planters; a fact so notorious as to need no support."

"Fifth. For maintaining a social and business boycott, tending to coerce public sentiment in favor of his administration, in support of which charge I quote by permission one of many instances. On the sixth of January E. Tappan Tannatt, an American citizen and retired officer of the Engineering Corps who had established a lucrative business in Hawaii, made a speech at a Home Rule mass meeting held to ratify President Roosevelt's message. Within twenty-four hours thereafter all his contracts which were with supporters of the Dole government were cancelled. In the three months since then he has not been able to earn more than \$750 in all."

"Sixth. In conniving with the liquor trust to fasten intemperance upon the Hawaiian people that they may be sooner decimated. This charge is supported by the evidence of his own utterance, made at a mass meeting of the Anti-Saloon League, January 30, 1902, as follows: 'I wish you to take what I say in good faith. I have had an opportunity for studying the liquor question. I am not ashamed to say that the Government is in the business and is responsible to a large extent. The liquor sellers are the agents for the Government. I believe it right and beneficial for the temperance reformers in this broad way to recognize these facts accordingly.'

"Seventh. For countenancing and apologizing for the creation and maintenance under police protection of a blockade for carrying on the business of prostitution in which human slavery is practiced."

Austin offered the above statement to the Chronicle but was informed that President Roosevelt had agreed to his request to withdraw his article.

Austin is the unknown

icle could not find space for the article. The Chronicle did print the following: "Franklin Austin, formerly a newspaper man in Southern California, but for some years past a resident of Honolulu, is in the city on a mission for the Home Rule party of the Islands. He called yesterday on Mayor Schmitz in pursuit of his mission to create sympathy and support for his political faction, and was received cordially and promised such support as the Mayor might find it in his power to give should he decide that the Home Rule party was deserving of his countenance."

The Call, which has been notorious for its purchase of gold bricks, was also on by Franklin Austin. The Call permitted Franklin Austin to write his own notice, but limited him to a hundred words. Austin evolved the following, which appeared in the Call:

"Franklin Austin, confidential agent appointed by Senator David Kalauokalani, president of the Home Rule party and the Amalgamated Hawaiian Political Societies, is staying at the Occidental Hotel. He comes to give a series of lectures to place before the American people the true feelings of the Hawaiian people in regard to President Dole's administration. Mr. Austin was formerly special private secretary to King Kalakaua, and his family have served the government for many years. He therefore feels himself competent to speak and truthfully place before the public the actual feelings existing among the people who have sent him to America to represent them."

The Bulletin published the following, which was written by Austin and trimmed by the editor:

"Franklin Austin, a well known Southern California newspaper man, has arrived in San Francisco after a sojourn of three years and a half in Hawaii. Although Mr. Austin worked for seven years as a newspaper man in this state, he is a Hawaiian by birth and rearing and in the days of the monarchy was prominent as special private secretary of his late majesty, Kalakaua. Upon his return home after annexation, Austin became the confidential adviser of the native political leader and has figured as one of the most strenuous opponents of Governor Dole."

"Mr. Austin now visits the mainland as the confidential agent of Senator Kalauokalani, president of the House Republican party of the Territory of Hawaii, who is known as the great Hawaiian commoner, controlling the majority vote of Hawaii. Mr. Austin said:

"I have returned as the representative of the leaders of the Hawaiian people to start a campaign of education on the mainland, with the object of enlightening the American people concerning the iniquitous political conditions in Hawaii. The native Hawaiians do not believe the American people yet realize that they have annexed a large number of new American citizens in the Pacific Islands who have a burning desire to possess just as much liberty to the square inch as citizens on this side of the 'pond' demand and 'kick' for."

"Governor Dole, who is no more an American than a Hottentot, still maintains an oligarchical un-American government, and obstructs all attempts of the people to obtain municipal government and other free and enlightened institutions. It is a question of the combined people against class rule, backed by the sugar planters and the money power."

"The native Hawaiians gave up royal predictions the moment they discovered that Congress had restored, through the organic act creating the Territory of Hawaii, to the people, individually the sovereignty, which had been taken from the Queen during the Spanish war."

"They are now as enthusiastic, patriotic, intelligent American citizens as can be found anywhere and they want you to know it. Hawaii can never have liberty while Dole is Governor and thus the protest against the President confirming him in spite of the arraignment of three-fourths of the people. Why, cold shivers run down the Governor's aristocratic back every time he thinks of those he officially calls the 'common people' presuming to rule the country."

I talked with Mayor Schmitz about Austin.

Said Schmitz: "A man who said his name was Austin, called on me, and introduced himself as the white leader of the native party in Hawaii. He said a Senator from there named, I forgot what, but it is a yard long—was soon to come here and would call on me. I said I would be glad to see him. He tried to get me to express sympathy with the native cause, but I told him I was not informed on the subject and would study it up. The fact that Roosevelt endorses Dole is enough for me." As a matter of fact, Schmitz is a Republican and stands staunchly by the Republican national administration.

Disappointed in getting the Mayor or the Chronicle or Call to take up his fight, Austin says he will go to Washington and see Frank Munsey. Austin says Munsey, who owns the Washington Times, a New York daily and Sunday weeklies and monthlies, will be impressed by him.

FREDERICK O'BRIEN.

THE MOST COMMON ALIMENT.

More people suffer from rheumatism than from any other ailment. This is wholly unnecessary for a cure may be effected at a very small cost. G. W. Westcott, of Meadowdale, N. Y., U. S. A., says: "I have been afflicted with rheumatism for some time and it has caused me much suffering. I concluded to try Chamberlain's Pain Balm and am pleased to say that it has cured me. For sale by all dealers and druggists. Benson Smith & Co. Ltd. agents for Hawaii."

Hawaii in Oil

BAKERSFIELD, April 23.—It is reported in this city today that a representative of a Hawaiian sugar plantation has purchased 100 acres of oil land in the McKittrick district adjoining the Paraffine Company's property, with the object in view of "stripping the property and using the product in the Islands. This, says the oil men, tends to show that the proposed road to Port Hueneme from that section will be put in."

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READY TO MANEUVER

Island Guardsmen Will Compete Saturday.

Capitol Square will be the rendezvous on Saturday afternoon of the First Regiment, National Guard of Hawaii, where the five companies will separately compete for the silver cup now in the possession of F company, and for three cash prizes. Governor Cooper, United States Navy, judicial and civil officers, officials of the Territorial Government, Commissioner Barrett, of the Louisiana Purchase Exposition, and distinguished citizens of Honolulu, together with a number of ladies, will occupy seats upon a grand stand which is to be erected in the vacant lot at the junction of King and Merchant streets. Arrangements will be made for about two hundred guests. The Governor will be accompanied by his staff in dress uniforms, while the officers of the National Guard and those of the United States army and naval forces will attend in fatigue uniforms. The Government band will also be present and will play on the band stand in the Capitol grounds.

Major Davis, Artillery Corps, U. S. A., in command of the garrison at Camp McKinley, is to appoint the judges for the competition, and his choice of officers will probably be announced on the day the competition is held. The entire square is to be set apart for the maneuvers of the various companies, limited by the curb and a line drawn from the Ewa end of the opera house to the Capitol grounds opposite. The sidewalks are to be left entirely free to pedestrians, with the exception of that directly in front of the grand stand. The space in which the companies are to drill is to be reserved by a cordon of guards stretched around the entire area.

The trophy is a silver cup which was won at the last competition by F company, under command of Captain Johnson. The three cash prizes are divided as follows: First, \$75; second, \$50; third, \$25. The first cash prize goes to the company winning the cup.

As a matinee is to be given on Saturday afternoon in the opera house, Colonel Jones, commanding the regiment, suggests that those using carriages for the performance drive through the Capitol grounds to the opera house, in order that the reserved space can be kept clear of vehicles.

The companies which are to compete are as follows:

A company, Captain Klemme; B company, Captain Reilly; C company, Captain Hippe; F company, Captain John; G company, Captain Rose.

The order in which the companies are to go upon the field in competition has been decided by lot. The first company will be ordered upon the square at 1:15 or 1:30 p. m. A headquarters order has been posted giving the evolutions to be used by numbers corresponding with the maneuvers described in the military tactics. A sample of the orders as prepared by the Captains for use before the judges is as follows:

Form company, facings, alignments, open ranks, inspection arms, manual arms, load and fire, rests, company right, right turn, fours right, left front into line, fours left about, to the rear, fours right, fours left and company halt, right forward, fours right, oblique, to the rear, right by twos, obstacles on regiment into line. Platoons—Form fours, fours left, form company left oblique from the halt, on right into line, platoon right forward, fours right, platoon left front into line, fours fours, left front into line of platoons, column fours, platoon column right, fours left, left front line of squads, rally by squads, assemble by squads, assemble on second squad, on right into line by squads, assemble skirmishers, forward, knee, to the rear, rally by platoons, assemble, form company front, change direction, rally, assemble.

The companies have been drilling every night for several weeks and are getting into fine trim for the big event. The drill shed presents more of a martial appearance on week nights than for several months past, and the air is filled with sharp commands, the rattle of bayonets as they are fixed to the rifles, the steady tramp, tramp, tramp of the guardsmen and the intricate maneuvers are carried out, and there is always an interested crowd of spectators in the vicinity. Each company has gone into the competition with the intention of winning the cup, and the rivalry on Saturday will probably be the most keen the regiment has ever experienced.

NEWS NOTES.

PARIS April 22.—The election campaign has commenced. There is much excitement. A Radical Republican manifesto advocates two years' military service for all, a laborers' accident insurance scheme, an income tax, workmen's superannuation fund, and makes an energetic defense of individual liberty.

General Mercier was stoned and hurt at an election meeting at Ferté-en-Bernard.

NEW YORK, April 22.—A punitive expedition, sent to Mindanao, in the Philippines, owing to the murder of two American soldiers, fought two engagements.

A red flag was seen hoisted at a Moro village, indicating the Moros' determination to renew the struggle.

LONDON April 24.—The Lord Mayor, presiding at a meeting of the Dublin Corporation, declined to put a motion to send representatives to the corporation on the ground that the Corporation had not been invited. He himself had been invited but he did not intend to accept the invitation.

LONDON, April 25.—Four months' hard fighting has resulted in the sup-

HONOLULU WILL BE HOST FOR ALL ISLAND VISITORS

HONOLULU Day for the people of Hawaii is receiving the very best thought of the business men and such a hold upon the fancies of the community has been taken by the idea of a series of days and affairs for the attraction and entertainment of excursionists from the various islands to help make a capital and Capitol holiday, that its success is certain.

The committee of the Merchants' Association, to which was referred the matter, has spent the two days of this week inviting suggestions from merchants of the city, and many have been the ideas brought before them already. All the plans which have been put forward contemplate the filling of three or four days with events which would furnish plenty of amusement, and as well instruction, for the people who may take the time for a visit here to enjoy the prepared feast of good things which will be offered.

First among the many plans stands that suggested in the Advertiser, that there be made a street fair. This would enable the display of goods of all kinds along a long line of booths, and yet would not involve the great expense which would come from the construction of a pavilion for the use of the exhibitors. The date so far talked of by everyone in connection with the affair has been the Fourth of July. This date suggests itself naturally owing to the fact that there is on that day the boat races and the general holiday would give the people of the city better opportunity to enjoy the outing. There

has been much talk of having the fair, if such it may be called, in connection with the Agricultural Fair, which is to be held under the auspices of the Department of Agriculture. This will be the first in many years and is designed to increase the interest in the growth of small products on the farms of the Islands. The date for it, however, was set six months ahead when the first announcement was made. This fixed the event for the third week of July, beginning about July 21st. Commissioner Taylor, of the department, said yesterday that owing to the fact that there were many people growing special exhibits for this very event, there would be great difficulty in changing it, and in his opinion it could not be done without working a hardship upon many would-be exhibitors.

On this account, and after some discussion of the matter with Governor Cooper, he had practically decided that there could be no change in the dates for the Agricultural Fair, and he thought perhaps the best thing to do

in case either plan is adopted there will be a band stand and a concert from the band will mark each afternoon and evening.

pression of 170 Soudanese mutineers who, in alliance with the Lango tribesmen in North Uyoro, disturbed the Upper Nile districts.

LONDON April 24.—The government of Jamaica, with Mr. Chamberlain's sanction, propose to guarantee loans used to erect central sugar factories.

LONDON, April 23.—Fifty firms are sufferers by the Barbican street fire in London, and the damage is estimated at two millions.

LONDON, April 23.—The House of Commons has agreed to the County Council's tramway along the Victoria Embankment.

NEW YORK, April 24.—The recent explosion at the barracks at Managua, in Nicaragua, destroyed 4,000,000 rifle cartridges.

LONDON, April 24.—The Chinese rebels surround Nanningfu and occupy the river banks. Navigation is interrupted.

LONDON, April 25.—The Imperial Government has invited the Natal Government's views regarding the recent negotiations for peace.

LONDON, April 22.—Ten fresh cases of plague and five deaths have occurred at Port Elizabeth, Cape Colony.

THE HAGUE, April 24.—A less favorable bulletin has been issued regarding the health of Queen Wilhelmina, who is suffering from typhoid fever.

CHRISTCHURCH, April 24.—In reference to the cable yesterday dealing with the extension of the Pacific Cable to Honolulu, Sir Joseph Ward states that the cable board had consulted the Government on the matter, and Ministers were agreeable. They, however, required further information regarding the proposal as to the persons behind it, and also want an assurance that the connection of the cable with the United States will not have the effect of diverting any traffic from the Pacific cable proper.

ST. PETERSBURG, April 24.—The silk and cotton operatives in Moscow have struck for higher wages and shorter hours. The strikers looted the shops and indulged in rioting, and the infantry and cavalry were called out and charged the rioters. Many were killed and injured on both sides.

Additional mansions have been pillaged in the Pultava district. The offenders, when caught, were flogged. Strike riots have occurred in the Kiev district.

M. Zinger, Assistant Minister for Education, is making energetic conciliatory efforts in connection with the students' revolution. He has the loyal support of M. Vannovsky, whom he succeeded.

LONDON April 24.—The entire trans-

Siberian railway, since the 16th, has been reserved for the transport of thousands of Cossacks eastwards.

It has just been discovered that Russia is building a railway leaving the Siberian line seventy miles west of Khabarovsk to Kalgan, within 100 miles of Pekin. It runs mostly through Mongolian territory.

WASHINGTON, April 24.—A treaty between America and Colombia has been signed at Washington for a perpetual lease, renewable every century, of a canal route six miles wide. America pays seven million dollars, in consideration of which Colombia relinquishes 14 years' rental and other colonial revenues. The terms for the first century of the lease will be arranged meanwhile or arbitrated upon.

Benson Smith & Co. Ltd., agents for Hawaii.

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LONDON, April 25.—Four months'

hard fighting has resulted in the sup-

er to the other proposed exhibition would be to make the dates coincide.

While the committee does not feel that it has received anything like the views of a majority of the business people, it has some ideas which developed would offer plenty of entertainment for all. Should arrangements be made whereby the Hilo race day and the Maui celebration of the Fourth be postponed for the benefit of the Honolulu day, the plan would be to make a four days' fair at the very least. Thus there would be offered a chance for the opening of the fair on Wednesday, the special features being a parade and general sports, perhaps a match game of ball or of polo, despite the closing of the latter season. The night effects might be made elaborate and the theaters might also be induced to put on special plays.

Thursday would be given over to sports and perhaps a Venetian carnival in the evening, working in an illuminated harbor and shipping. In the event of such a start there would be a Fourth marked with addresses in the morning and the boat races in the afternoon, with some special performances in the evening. This would give a chance for the culminating effects on Saturday, when horse races, other sporting events, and a grand carnival to close, there would be no dead point in the entire celebration.

The idea that the closing event to be a carnival would bring in to a week many elements of entertainment and there would be no difficulty in making the various features such as would attract every lover of a fair and sporting events in the entire group.

Among the many suggestions there has come one which will cause a great deal of figuring by merchants and promoters. This is the securing of the street before the Young building, the removal back of unused building material, and the use of the pavement before that great structure for display. On the Ewa side of the street there would be, under such a plan, a site for a band stand and plenty of booths would be prepared, so that there might be no opportunity for a business man to be overlooked in the arrangements for display.

The second plan is to fix the date to coincide with the Agricultural Fair and show goods of the various merchants in a tent pavilion erected in front of the drill shed, where the main fair will be held.

In case either plan is adopted there

will be a band stand and a concert from the band will mark each afternoon and evening.

ny to sell its rights. The treaty will not be submitted to the American Senate until some canal act has been passed.

SYDNEY, April 25.—The plague situation is improving and the epidemic seems to be held in check. A case occurred in Sydney and Brisbane on April 24.

WASHINGTON, April 24.—In the House of Representatives Mr. Richardson moved for an inquiry into the abnormal rise in the price of meat, with instructions to the members of the committee of inquiry to recommend remedial measures.

Mr. McDermott has introduced a bill to abolish duties on imported meat and poultry.

LONDON, April 25.—Mr. Knox, the American Attorney General, reports there is sufficient evidence to demand an injunction to restrain the beef trust whose agreement is equivalent to a restriction of inter-State trade.

LONDON, April 24.—There is much alarm in England lest the American shipping combination should deprive the Admiralty of the fleet's subsidized cruisers in the event of war, while Germany retains control of her subsidized lines.

The Government is being urged to legislate to secure the retention of subsidized cruisers under the British flag.

It is reported that the Belgian and Dutch lines join the American combination.

LONDON, April 25.—In the House of Commons Mr. Arnold-Forster stated,

in connection with the shipping combination, that the Admiralty committee was inquiring into the question of Government subsidies to various steamship lines. Meanwhile arrangements had been made precluding the possibility of the transfer of hired White Star liners to a foreign flag without the Admiralty's consent during the current agreement, ending in 1905.

The Daily Express states that Morgan's combine is trying to fix emigration rates and seeking to prevent the Canadian Emigration Department supplying the Elder-Dempster Company with information relating to prospective emigrants, and also threatens to buy the control of the Canadian-Pacific line.

The Daily Mail states that the com-

bination is introducing a new ship-

ping bill, permitting American-

owned vessels to be built abroad and

brought under the American flag.

LONDON, April 25.—Morgan's ship-

ping combination is registering in New

York. A daily service is proposed.

There is considerable alarm in Eng-

land owing to many British vessels,

including 20 lately employed as trans-

ports, entering a combination contrived

by American capitalists.

Victor Hoffman and J. F. Riley, con-

tractors, have filed suit in the Circuit

Court for foreclosure of a mechanic's

lien against Col. J. H. Fisher in the

matter of the building on Front street,

opposite the Love block, and used as

billiard parlors, cigar store and restau-

rant.

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tive emigrants, and also threatens to

buy the control of the Canadian-Paci-

fic line.

Invitations have been issued for the

wedding of Miss Alice Lawrence McCarty and Francis William Smith, at

high noon, Saturday, May 17, at Cen-

tral Union church.

A MINT OF MONEY

Wanted by Waikiki Property Owners.

Eighty-five thousand, two hundred and eighty-eight dollars and twenty cents is the amount which owners of property on the line of the proposed widening of Waikiki road want for the land so required. Nineteen claims for damages were filed, and the amount caused the Superintendent of Public Works to gasp in amazement when the totals were footed up. The Kapiolani estate put in a claim of \$1 per square foot, equal to \$43,560 per acre. The claims ranged from \$1 to 44 cents per square foot, the latter claim being put in by John Ena, E. S. Cunha asked for nothing, requiring only that the moving of his fence, putting in storm curbing, pipes, etc., be done at the expense of the Territory.

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H. T. Second-class Matter.

SEMI-WEEKLY.

PUBLISHED TUESDAYS AND FRIDAYS

WALTER G. SMITH, EDITOR.

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Per Year	5.00
Per Year, Foreign	6.00

—Payable invariably in Advance.—

J. W. PEARSON,

Manager

FRIDAY : : : : MAY 9

THE PROPOSED FIESTA.

Honolulu has finally caught the spirit of the fiesta, a native Californian fete which, after some decades of sleep, awoke at San Diego in 1892 and finally ran about over the State. As might have been anticipated or so enterpriseing a body, the Honolulu Merchants' Association first took the matter up for this Territory, and now we have the Association in the field asking suggestions as to which form the fiesta should have. It does not want to cut and dry a program for itself; but believing that, in the multitude of counsel there is wisdom, it asks help from everybody.

WHAT KIND OF A FIESTA DO YOU WANT? That is a query which everybody has a chance to answer, and the Advertiser will take its opportunity now.

There ought to be a week given up to a general good time, CENTERING AROUND A STREET FAIR, and ending in a street carnival where every one who does not come masked has a paper bag full of flour exploded on his head. When the maskers appear they will make their own good time. They need no other directions than to keep sober and do no damage to private property. During the week each day should have a special event as for instance:

Monday—Aquatic sports.

Tuesday—Races at track.

Wednesday—Sham battle of National Guard and Regulars.

Thursday—Native Sons' Day, with Admission-free Luau on a large scale.

Friday—Public Concert of Band and of Honolulu's Best Vocalists. Illumination of harbor.

Saturday—Japanese Daylight Fireworks, Excursions, Carnival at Night. If the Agricultural Fair could be running during the week; if good bills could be seen at both American theaters, and at the Japanese and Chinese play-houses; if the Navy Department would do for us as it does for coast fiestas and send a couple of good ships to help out the show; if low-down transportation rates could be had between Oahu and the other islands—why then we should have the biggest affair Hawaii has seen since Kalakaua's coronation.

What do YOU say?

A SIGN OF PROMISE.

Mr. McVeigh, the new superintendent of the Lepper Settlement, says that he will give tuatu a fair trial. That is something the South American remedy has never yet had in this Territory—though the plant was sent here by the Department of Agriculture about two years ago with the recommendation that it be tested at Molokai. Within the last year or so partial efforts were made to do something with tuatu, first at Kalalii station where Dr. Camp began experiments only to have them cut off in a few days by the dispatch of his patients to Molokai, and second at the Settlement where Dr. Oliver gave such lepers as desired to try the medicine a dose or two apiece. As proper treatment is at least a matter of months, it will be seen that tuatu has fared ill at the hands of the unbelieveing.

Meanwhile it has seemed to improve the health of lepers elsewhere. The Tahiti cases, which have been reported in this paper, are such as to attract the resident French physicians and lead them to send for Dr. Camp's formulas and have them printed in French and Tahitian. We are told on credible authority that pronounced lepers in Tahiti, regularly treated with tuatu, are getting well. In the face of all this corroborative detail, it is surprising that medical men have shown so little interest in the matter here. Fortunately Mr. McVeigh is not hampered by the traditions of doctors nor by their fear of what is new, and he will see that tuatu has as much show on Mojkai, at least, as it is getting in Tahiti.

Should he cure a leper he would be famous the world over and would have done an incomparable amount of good. The result to Hawaii from an eradication of the leprosy scourge cannot be told in the mere figures of money saved which is now spent in keeping up the Settlement—a matter of \$100,000 per year. The reputation of this group—a health and pleasure resort has been compromised for years by the knowledge spread widely and always in an exaggerated form, that leprosy exists among us. But for that Hawaii would see twenty tourists where it now sees one. Commonly the first things strangers ask are about the danger of infection. It is useless to go into particulars with such people; to tell them that when leprosy claims one victim here it grip summons a hundred in other places of the same population on the mainland; and that white people need have less fear of the scourge of Asia than of carriage accidents or death by fire. To them leprosy means far more than it does to those who know the malady; and so it behoves a place which makes a market of its climate and scenic attractions to leave nothing undone which may cleanse Hawaii of the disease which puts it at such disadvantage with less favored resorts on the coast—resorts that divide the business of 10,000 tourists among them for four months of each year.

Of course tuatu may not be the specific for leprosy which must somewhere exist among nature's antidotes for every bane, but it is the best thing we have to experiment with now. From Brazil as well as from Tahiti come assurances that it has cured the victims of the rotting plague; and the assurances are enough to inspire earnest work here. It is a sign of promise that Mr. McVeigh, as agent of the Board of Health, will do his best to induce the lepers to take the tuatu treatment as it should be taken.

The Masons celebrated their fiftieth anniversary in a way which fitted the occasion. That they have reason for pride in their past is shown by the long list of distinguished men whom they have nurtured and in the sum of their philanthropy and good citizenship. Out of the shooting made on Monday should come a large increase in the numerical strength of the Masonic order in these Islands.

RUSSIA AND CHINA.

It cannot be said that the Manchurian treaty changes in any material way the position of Russia in the Chinese Empire. The four points of the treaty are as follows:

(1) Within six months after the exchange of signatures, Russia agrees to withdraw from Manchuria all her troops, with the exception of those needed to protect the Russian railway across the province.

(2) Russia consents to evacuate the Manchurian treaty-port of Newchwang as soon as the foreign troops now occupying Tientsin make over that port to the Chinese.

(3) Russia promises to deliver to the Chinese the railway between Newchwang and Shanhkuan as soon as the British have placed the Chinese in control of the railway from Shanhkuan to Tientsin.

(4) Russia renounces the exclusive mining, industrial, and banking privileges first demanded in her own name and then in that of the Russo-Chinese bank.

The removal of all troops excepting those needed to protect the arterial railway running from Port Arthur to a junction with the Trans-Siberian main line, simply means that Russia will decide for herself how big an army she can use, such latitude in estimates as to maintain a large enough army to keep both the Japanese, English and Chinese at bay. As a result of the first section of the treaty the control of Manchuria by China seems further away than ever.

The other sections are conditional in their terms and not very material in their substance. Russia does not need Newchwang now and could take it from the land side easily enough in case of war. As for railroads nothing would satisfy her better than to let the Chinese recover the short lines they lost during the Boxer uprising, for that would unloose the grip of the British and leave the Russians in shape to take the roads when needed. As for mining, industrial and banking monopolies in Manchuria Russia can afford to waive them, knowing as she does, that nobody can do much business in the sphere of Russian influence unless the Russians themselves choose to let them.

SAVE THE CURVES.

The people of Honolulu not only want rapid transit to the Waikiki beach and to Kapiolani Park but they want to preserve the scenery en route. What is more, they do not see why both results may not be gained. If the Waikiki road is widened, trees may be left between the Tramway track and the track of the Rapid Transit Company. It is not at all necessary to cut them down except here and there where they are directly in the path. As for lily ponds they can be easily and quickly replaced and so need not count for much in this discussion.

What the people object to most emphatically is the plan to straighten the Waikiki boulevard. Now in roads as in many other things, the curve is the line of beauty. A straight road is never specially attractive even in the pleasantest country, any more than a canal is; while a winding road in an ordinary country is full of pleasant surprises, just like a river which takes a natural course. The curving carriage road to Kapiolani Park is one of the scenic luxuries of Oahu, and where it curves most, just below the King street turn, there it is the most beautiful. To straighten this wandering highway—to make an Omaha street of it, one taking with arithmetical precision the short cut between given points—would be an act of sheer vandalism for which a saving of a few minutes in electric travel is not a good excuse. We have seen a great inroad made on the Tantalus forest, more's the pity; don't follow it up by spoiling the loveliest of Honolulu drives.

We are assured that the Rapid Transit Company is not active in seeking this iconoclastic change; that it is the proposal of the road department, made in good faith enough, but for a merely utilitarian purpose. But in such a matter as this art and nature should be consulted as well as business.

A SECOND CABLE.

The desire of the New Zealand people to connect their cable with Honolulu is one which we of Hawaii reciprocate. It would be easy to run a branch line from the British station on Fanning Island to Hawaii the distance being 1000 miles and the cost about \$1,000,000. Such a service would be useful in the competitive sense and would give not only a substitute line to the coast in case the American cable should break and, in the same event, a roundabout Honolulu connection for the Mackay people with the extended cable from this point to Guam and the Philippines.

It cannot be said, however, that New Zealand means business as yet, the cables being mixed up to some extent with wireless anticipations. The following Australian item copied from yesterday's files tells the story:

Sir Joseph Ward has received a telegram from the Agent-General informing him that in the opinion of such an eminent authority as Lord Kelvin, it is practicable to connect Fanning Island and Honolulu by wireless telegraphy, a distance of about 1000 miles. Sir Joseph points out that New Zealand would take no hasty action, and that in view of the remarkable development of wireless telegraphy a waiting policy in order to ascertain whether it could be successfully established over such a distance would be followed.

Sir Joseph Ward replied that New Zealand would take no hasty action, and that in view of the remarkable development of wireless telegraphy a waiting policy in order to ascertain whether it could be successfully established over such a distance would be followed.

Sir Joseph Ward is one of the highest living authorities on science, but it will be no surprise to find him reconsidering the idea that any dependable long distance service or any dependable service over any distance in bad weather can be had from the Marconi system.

If there is to be any business-like connection between points 1000 miles apart it will have to be by cable—at least so far as present indications go.

The proposal to pay the Cuban insurrection army for its services during the war has brought out 70,000 claimants, whose names are on the collected rolls.

As it is doubtful that Cuba had 7000 men in the field first and last, President Palma has a knotty problem to work out. The sum asked for is \$10,000,000, which the President thinks, the coming republic could not pay without leaving all its lands to foreigners.

After one week the street car company in San Francisco surrendered and the strikers went back to work. This short, sharp and decisive result will greatly strengthen the political influence in California.

Hawaii has the best National Guard known to any Territory in the Union and on the occasion of its coming into existence it will show that it is not unaptly named.

Carnival Dances has arranged for a special concert in favor of Fredrick

WHAT THE BEET SUGAR MEN DID.

The beet-sugar advocates in the House, says the Literary Digest, have made a break in the party ranks, and have compelled the party to declare its attitude toward the sugar trust, so the great majority of the papers declare, and the free trade papers think that they have also started a little reform avalanche that may sweep the Republican party out of power in the House.

The thirty beet sugar Republicans joined forces with the Democrats, on Friday of last week, to add to the Cuban reciprocity measure a clause making in the tariff on refined sugar, a reduction that will cut the profits of the sugar trust, it is reckoned, about \$6,000,000 a year. After thus amending the measure, the thirty arrayed themselves against it on the final vote, compelling the party leaders to depend on the affirmative votes of Democrats to secure its passage. The bill, with its amendment aimed at the trust, passed by a vote of 247 to 52. As the proposed reduction in the tariff on refined sugar, to judge from the comments in the New York Journal of Commerce and other papers, will hurt the beet interests as much as it will the enemies. It is pretty generally supposed that the best men put the amendment in with the idea that it would kill the bill; but it was passed, and now goes to the Senate, which must decide whether or not it will endorse this anti-trust amendment. If the Senate cuts it out, says the Philadelphia Ledger (Ind. Rep.), the Republican party's anti-trust professions will receive a severe blow, and many Republican candidates, especially in the Northwest, will receive harsh treatment in the Congressional elections.

The Rochester Post Express (Rep.) declares that the beet men have forfeited all claim to consideration. It says:

"Because they could not have their own way, that is, because they could not defeat the concession to Cuba, they have apparently tried to revenge themselves upon the party that has shielded them from foreign competition. Their action has all the appearance of an elimination of the nose to spite the face."

"In consequence of this action, the Republican majority might, it seems to us, have regarded themselves as relieved from obligations to the beet sugar interests, and adopted the amendment of Representative McClellan increasing the proposed reduction on Cuban imports from twenty to forty per cent."

The Washington correspondent of the New York Herald reports "a very prominent Republican" as saying:

"Not in ten years has there been a time when the situation in national politics was so threatening for the Republican party. We are just preparing to go before the country for the election of a new House of Representatives. Apparently it will be 1890 over again. How are we preparing for it? We seem to have no leader. The Republicans in the House are a leaderless mob. A minority of the Republicans there combine with the Democrats, and that is an end of party responsibility and party discipline. Exactly the same situation prevails in the Senate. There is no leader, and a few Senators who were elected as Republicans stand ready to form an alliance with the Democrats—if indeed the alliance has not been formed already—to overthrow the policy of the administration and bid defiance to party authority. How is it to end? Unless the big men of the party come to their senses it will end in disaster after disaster and loss of the Presidency in 1904."

The beet-sugar growers of Michigan and the West regard the thirty as heroes. The Detroit Journal (Rep.), for instance, says:

"Whether the Senate refuses to pass the Cuban reciprocity bill in its present form, and the House finally re-enacts from its position favoring the removal of the differential duty in favor of raw sugar, or whether the contrary occurs, can not take from the Michigan members of Congress the credit they should have for the fight they have made in the interest of beet sugar. They have fought all the way up the San Juan slope, from the top of which the representatives whose constituents' interests were not affected were firing hot shot in favor of foreign planters, not one of whom came forward to testify to their present distress. The Michigan men drew recruits from the opposing force; they dislodged the enemy and took possession of their earthworks."

The beet-sugar growers of Michigan and the West regard the thirty as heroes. The Detroit Journal (Rep.), for instance, says:

"Whether the Senate refuses to pass the Cuban reciprocity bill in its present form, and the House finally re-enacts from its position favoring the removal of the differential duty in favor of raw sugar, or whether the contrary occurs, can not take from the Michigan members of Congress the credit they should have for the fight they have made in the interest of beet sugar. They have fought all the way up the San Juan slope, from the top of which the representatives whose constituents' interests were not affected were firing hot shot in favor of foreign planters, not one of whom came forward to testify to their present distress. The Michigan men drew recruits from the opposing force; they dislodged the enemy and took possession of their earthworks."

The S. S. Doric arrived from San Francisco yesterday afternoon docking at the Pacific Mail wharf. Contrary to expectations she brought the mail, which was looked for on the Sonoma, scheduled to sail three hours before the Doric. The Sonoma, however, did not get away from the Golden Gate until 7 p. m. on May 1, while the Doric sailed six hours sooner, the mail accordingly being placed aboard her.

Three hundred and twenty-six bags of mail were brought by the Doric, which, with the exception of Christmas, is the heaviest mail handled by the postal authorities for a year.

About forty members of the Heanlan Yacht and Boat Club met last night and discussed plans for the coming season.

It was decided not to hold open house on Regatta Day as has been the case in former years, the reason being the inability of the club to entertain the vastly increased crowds which now turn out to witness the races. An entertainment will shortly be given for some time, a condition of affairs which naturally prevents him from getting into shape. He reiterates his willingness to fight Smith as soon as he has a chance to get into condition.

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TO ATTACK BREWERY

The Anti-Saloon League Hope to Close It.

THE ANTI-SALOON LEAGUE has taken up in earnest its fight against the Honolulu Brewery and the Prime saloons, and is sending to every friend of temperance its request for aid in the fight. In addition the league at its meeting held in its rooms yesterday, decided that the next meeting of the league shall be given over to a discussion of the question of local option. There have been sent requests to the mainland for copies of the various laws on the subject, and these will be taken up and talked over at length.

It was reported to the league that there must be a fight made against the proposal of the purchaser of the lease upon the little corner of land at Union and Hotel streets, the only place which now extends into the latter thoroughfare, that the street will be widened at once, if there is granted a saloon license for the corner. The league decided that there should be representations made to the treasurer, and there will be conferences with the Superintendent of Public Works, which it is thought may lead to the widening through some other means.

The question of the teaching of temperance in the public schools was brought up, and Mrs. Whitney reported that there was some instruction in the subject, and as well there was the understanding with the Superintendent of Schools that the matter would be included in the course of study next year. The legal committee was instructed to look into the subject. As well the legal committee was asked to look into the question of the employment of a special officer who will have charge of the humane and children's protective work.

The question of the Star saloon was raised and it was decided that steps should be taken for the getting up of petitions which will have to be introduced so as to prevent if possible the reissue of the license. This brought up general discussion and it was decided that there should be a list of all saloons with the life of the licenses kept by the superintendent.

The report of the superintendent, which has to do with the work of the month, was as follows:

REPORT OF THE SUPERINTENDENT FOR THE MONTH ENDING MAY 5TH.

President and Members of Executive Committee, Anti-Saloon League: During the current month we have received, signed the petitions that were sent to Kau and Hilo. The latter contained 125 names of representative citizens of Hilo. These petitions will be laid before the treasurer as soon as he returns to Honolulu.

We are carrying out the resolution of the league in the effort to accomplish the closing of the Honolulu brewery.

One hundred and fifty saloons in books have been procured, with the following address to subscribe:

The Anti-Saloon League has good reason to believe that a new lease for the Honolulu Brewery has just recently issued, and that all earnest action can close its doors. A thoroughly reliable firm of lawyers is examining the case and claims that this can be done. They are willing to undertake the task, on behalf of the Anti-Saloon League, knowing that the battle will be severe. If they are successful they want the reasonable sum of one thousand dollars remuneration for money and time expended.

The moral influence of several hundred persons contributing over one dollar each toward such a project will be of great value in showing the desire of the people of these Islands to have the saloon evil abated.

If any person desired to have his contribution returned in case he fails to close the Brewery, let him notify the Anti-Saloon League. His name and the money will be refunded. Otherwise it will be used for other Anti-Saloon League work.

We, the undersigned, give the amounts opposite our names for the purpose of closing the Honolulu brewery, provided that, in case it is not accomplished, the same may not be returned to us, but be used for other Anti-Saloon League work.

The following letter is addressed to those who may kindly give us their personal help in obtaining subscriptions:

Dear Friend:—The interest in Anti-Saloon League subscription books will explain my letter.

The Anti-Saloon League is making an effort, through its law office, to close the Honolulu brewery, which is manufacturing and selling beer without a license which is, as we believe, illegal issued.

If we succeed in closing the brewery 25 Prime beer saloons will have to go out of business.

So great a boon is world wide herald.

Believing you are interested in our endeavor to check the evils of intemperance in these Islands we ask you to take those books and with your helpers as you may be able to secure assist us to raise the one thousand dollars required, and the more than a thousand names we desire.

Please collect the money as you go far as this is possible, and forward the same as soon as possible to:

R. B. PRATT, Esq., Attorney.

Anti-Saloon League.

At the request of the Department of Law Enforcement I have written to Dr. Chapman of Los Angeles, asking him to send us a copy of the Option law of California, to Dr. W. E. Baker of Ohio for a copy of the law of that State. Both are to be sent to the Agitation Committee.

The subscription is \$1.00, and accompanying letter will be sent to the Kona, Honolulu, Waikiki, Iwane, and Kailua, the first mail leaving the city.

Several cases have been before the Legal Protection Committee, but two cases there seemed to be no cause for intervention. In the first case took a little girl gravely ill, worked in Queen's hospital, and have her now under our care.

It has been suggested that we keep a standing notice in the papers inviting those who know of cases of wrong, abuse, or illegal treatment, to report such cases to our Committee on Legal

Protection.

An immense, a continuous, an urgent and most humane work in the rescue of the afflicted and ignorant, the wronged and oppressed, is opening to this committee. There is no end to the work and no limit to the good it can accomplish.

I have held in all seven meetings in the tent, two with the Salvation Army, two in the Murphy Club, one in the Boys' Brigade, a total of 20 meetings. I think opportunities for this part of my work will increase, and shall do all in my power to find further openings in all sorts of places and among all nationalities.

REPUBLICANS DISCUSS RULES

The Republican Territorial committee will resume discussion of the proposed party rules at a meeting to be held this evening at the rooms of the committee. From the talk of members of the committee there has now been settled the one hard fight of the entire campaign, that for open primaries. The passing upon the remaining sections it is believed will not consume much time.

There promises to be a contest over section 4 of article 2, that dealing with nominations for Senator in districts including more than one Senatorial district. The section provides that nominations shall be made by district committees sitting separately and that "each district shall be entitled to the same representation on the Senatorial ticket as is allowed by law, or that is enjoyed by any other district within the Senatorial district."

Republicans of the Fourth district, with their 140 votes, are inclined to think they should have a greater representation on the ticket, perhaps, than the Fifth, with its 800 votes. There is another element of the committee which believes in following the spirit of the law in making nominations from the entire Island since all comprises the Senatorial district. It is prothesized that a substitute clause, providing that the joint district committees on the Oahu delegates to the Territorial convention shall constitute the Senatorial convention.

The same provision as to Hawaii would settle the question. A large meeting is expected.

BAR ASSOCIATION MAY HAVE BANQUET

A special meeting of the Bar Association was held yesterday afternoon at the office of Kinney, Ballou & McLellan, for the purpose of electing a treasurer in place of F. W. Hankey, who, although chosen as such at the last annual meeting, has failed to exercise the powers of such office.

The office was declared vacant as far as Hankey was concerned, and C. L. Hemmaway was unanimously elected to fill the vacancy. Judge Kaulukou presided at the meeting and Dan Case was secretary. Those present were: A. W. Carter, George Hons, Charles Delighton, E. B. McLellan, Enoch Johnson, A. W. Carter, A. W. Judd, C. P. Peters, W. W. Thayer, T. M. Stewart, Leolin Andrews, C. S. Dole, G. D. Mead, Mr. Bidwell, B. L. Marx and Messrs. Holmes, Andrade, Hemmaway and A. A. Wilder. The bar admitted Mr. Willard to membership.

The matter of obtaining new quarters was discussed and an offer of the old Chamber of Commerce rooms over Castle & Cooke's was made by the owners through one of the association members. A committee consisting of Messrs. McLellan, Andrews and Judd was appointed to look up quarters.

Leolin Andrews called attention to the banquet of the Bar Association which is usually set for a day shortly after the annual meeting, which takes place this year on May 28. Upon his motion the chairman appointed a committee, consisting of Messrs. Andrews, Dole and Wilder, to look into the matter.

HAWAIIAN DAY AT CHARLESTON

WASHINGTON, April 26.—Mr. J. F. Knapp, special commissioner of the South Carolina exposition, has just returned from an extended trip of over four months, having visited during the winter and the Western States, five provinces in Canada, and the Islands of Hawaii in the interest of the exposition. State and Territorial representatives.

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CABLE WILL BE LANDED HERE IN SIX MONTHS

GOVERNOR COOPER, S. S. Dickenson, the representative of the Mackay Pacific Cable Company, Superintendent of Public Works Boyd and Surveyor-General Wall held an important conference at the Governor's office yesterday afternoon, and a preliminary discussion was had of the plans of the cable company to get a landing place. Maps showing the island of Oahu, with Honolulu indicated thereon in detail, were used at the conference, and three points, namely, Waialae, Diamond Head and a location on Waikiki Beach close to Sans Souci, were picked out as possibilities. Mr. Dickenson and Mr. Wall will visit these places today so that the cable representative will have an opportunity to judge for himself which location is most desirable. From the landing place the cable will be carried underground through the city to the building selected as the cable office. Mr. Dickenson was assured by all the Territorial officers that they will give him and his company every facility possible for bringing Honolulu into cable communication with San Francisco and the balance of the world, as soon as possible.

Honolulu will have cable communication with the mainland by the middle of November next, if the plans of the Pacific Cable Company go through, and there is nothing comes up at this end to prevent completion of the work. So far has the work progressed that there are now something like 800 miles of the cable ready for shipment, and the rest is expected to be ready for putting into the tanks not later than August 1.

This is the cheering news which is brought to Honolulu by Mr. S. S. Dickenson, who arrived in the Sonoma yesterday for a stay of perhaps two weeks here, arranging for the primary work. Mr. Dickenson will choose the landing place for the cable, have the shore end cable house built and decide upon the route for the underground cable, which will connect the sea line with the city, and the offices which are to be chosen for the home of the corporation's office. The latter feature is the only one which is in doubt, for what may have to be done to secure offices here is still a question, one which in the end Mr. Dickenson may have to refer to the people on the other side.

"My first duty," said Mr. Dickenson yesterday, "must be the selection of the landing place for the cable. We shall want to come to land as close to the city as possible, but at some place where there are no large ships anchoring, so that the danger of dragging of our cable may be reduced to a minimum. There is little danger from small vessels, though they may lose anchors and chains by catching hold of the cable, but large ships often injure the line. I come with an absolutely open mind, for I have no instructions to look into any particular site for the cable end. I, of course, expect that the place will be close to the city, for according to our recent methods, we do not have the station at the sea end, but connect that line with an underground wire which leads to the city offices, operating the line direct in this case from the San Francisco office into the office here.

"The cable which is being made for us will be laid with rapidity. If the cable ship encounters good weather as we had, I believe the work can be done in ten days' or eleven days' time. There is much depends on the weight of the cable. If it is not too heavy for one ship to carry there will be then the simple laying of the line from San Francisco end to the landing place decided upon here. If there is too much cable for one ship, then it will be divided between two and they will meet in mid-ocean, and after the splicing of the cable they will turn their heads in opposite directions and the trip will take only half the time. This I will not say, as the cable is being made upon plans which will provide for the safe and surest line. We do not an-

claim deed being given. This brings to a close the legal proceedings in the Circuit Court in which Sister Alberta was plaintiff and the Kapokan estate was defendant in an action to quiet title.

The Bishop estate has a claim of a quarter interest in the same three and one-quarter acres and the two Princes will yet have to deal with that estate before acquiring full and complete ownership of the property. Superintendent Atkinson, of the Department of Education, occupies a portion of the premises in accordance with plans to suit his convenience. The railway commissioners are preparing for a grand Hawaiian excursion upon the event of their visit to Charleston. There will also follow a number of other excursions, particularly that of a Congressional excursion to start South upon the date of the adjournment of Congress.

Mr. Knapp has also visited the exposition and pronounced it a most complete and patriotic representation of the name of the United States. He is a member of the Board of Directors of the Trans-Pacific and Pan-American Exposition. The railway commissioners are preparing for a grand Hawaiian excursion upon the event of their visit to Charleston. There will also follow a number of other excursions, particularly that of a Congressional excursion to start South upon the date of the adjournment of Congress.

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When Joseph G. Pratt reached Washington he took the fire claims bill to Judge Vandeverter, assistant Attorney General, to have it put in the best possible form. The rough draft of a bill prepared by Governor Dole and Mr. Thurston was also submitted to Vandeverter. Mr. Pratt is working hard with prospects of success.

LAND COMMISSIONER BACK. E. S. Boyd, Land Commissioner, came back from Washington yesterday, arriving by the Sonoma. He was at his office during the day to greet the force and expressed himself glad to return to his native soil. He said that the committee does not yet have to take any action until the term of his appointment. Mr. Boyd states that the bill is now in a satisfactory shape at present and that Congress may pass a general law on the subject, with the power to act left in the hands of the Territorial officials. He also believes that the fire claims request will have a thorough hearing with chances in favor of relief being granted.

E. S. Boyd Returns in Sonoma From Mainland.

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HAWAIIANS ABROAD

Governor Dole and Others Return Soon.

(Special to the Advertiser.)

SAN FRANCISCO, May 1.—There are not many Hawaiians in San Francisco at this time. The hotels have only a few as guests and faces familiar in the Pacific Paradise do not greet one often. Most of the leading residents of the Territory who have arrived here within the past month have tarried only a day or two and then rushed on eastward. Not a few have gone to Washington.

Governor Dole is expected to be here very soon en route to Honolulu, as also George Carter and Lorin Thurston. W. O. Smith and F. M. Hatch staid but a few hours before they took train for the National capital.

SOCIETY NOTES.

Miss Florence Moore, who returned recently from Honolulu, was the guest of honor at a luncheon in Los Angeles last Friday. Those present were Miss Moore, Miss Eva Young, Miss Anna Roberts, Miss Littleton Harris, Miss Mamie Dalton, Miss Dorothy Robertson, Miss Helen Parker, Miss Agnes Littleboy, and Miss Emma Byrned. The dining room was artistically decorated with Hawaiian curios brought by Miss Moore from Honolulu. Letis were worn by all the guests and the dishes were calabashes, placed on tapas. There was no poi served, but alligator pears, taro and some other Hawaiian delicacies were enjoyed by the guests. A little talk of Hawaiian scenes was given by Miss Moore.

Society misses the Herrins, who are now sojourning in Honolulu. Sally Sharp, the society editor of the Call, says "I never saw a girl sail away and leave such a dearth of happiness behind her as did Catherine Herrin. She left for Honolulu last week and people miss her terribly. Her friends are all talking about it. I heard one girl say to another: 'I am so glad you have come, I have been so lonely since Catherine left.' The other replied: 'Why do you know, that's just why I looked in. Am so blue without her.'"

The Pacific Cable Company has not taken up the subject of inter-island cables, but, as I said, I come with an open mind and would be pleased to receive any information upon the subject, and also to have the facts as to business tributary to the main cable system before me. It may be advisable to put down cables to connect the Islands for the purpose of having the business for the main line, which would thus be brought to Honolulu for transmission.

The failure of the prior attempt to lay a cable does not count, for we understand that it was not a modern cable and that there would be no difficulties which a new line would not surmount.

"I hope to pick up a great deal of information concerning the Midway Islands during my stay. We know little about them and nothing about the Marcus Island, of which something has been said. We hope to get on to Manila by the close of 1904, which will be doing good work indeed. We want to press our work so as to have it completed with as much rapidity as possible. This line will be the first section of the main system and we shall have it all working without any delay if our plans carry. I do not think the Government will lay a line for the reason that it is a big undertaking which we know more about than anyone who has not given long attention to the business.

"The cable companies are not worrying about the wireless systems. The great trouble there is that the instruments must be synchronized. The result is that the ordinary signal is not clearly defined, the dots often seeming dashes, and the dashes running on for too great length to be intelligible. The line we are to lay will have a capacity of thirty words a minute or sixty words when worked duplex."

claim deed being given. This brings to a close the legal proceedings in the Circuit Court in which Sister Alberta was plaintiff and the Kapokan estate was defendant in an action to quiet title.

WANT THE TREASURER

Registrar Hapai Is Barred as a Witness.

(From Wednesday's daily.)

Judge Robinson called the criminal cases of the May term calendar yesterday morning, making disposition of the cases according to the requirements of the attorneys and their clients and to the suggestions of the Attorney General's departments. The prisoners held under indictment by the Circuit Court were present, and the trial jurors were also in attendance. Of the eighteen jurors, six were discharged for cause. John K. Wilder and W. L. Disney, sickness.

C. L. Dement, retail liquor dealer, excused on account of pressure of business.

Lot Lane, excused for term on account of illness of his brother.

Ruby Dexter, bookkeeper First National Bank. It was satisfactorily explained to the court that the bank would be seriously crippled by his absence.

A. S. Prescott, of May & Co., said the affairs of the company needed constant attention until the return of H. McIntyre, the new manager, from the Coast. The court thought that he could manage the firm's affairs when he was not sitting on the jury, and denied the request to be excused.

Sol Kupheia explained through the Hawaiian interpreter that he was not thoroughly acquainted with the English language and would therefore not be a good juror. He was excused.

A special venire of ten jurors was then called, the clerk choosing the names from a box in the open court, and reading the names to the bailiff. The venire resulted as follows: J. W. Akana, C. C. Conrad, E. Henriques, F. J. Church, Edward C. Brown, H. M. Whitney, Jr., D. H. Hitchcock, C. W. Macfarlane, F. P. McIntyre, James W. Lloyd. The list is returnable this morning at 10 o'clock.

The criminal cases were disposed of as follows:

George Wade, assault with intent to murder; nolle prossed. Prisoner was sentenced to ten years imprisonment last term for manslaughter.

William Ester, murder, first degree; Kaluna, burglary, first degree; William Ester, assault with intent to murder; all continued for the term, as all the cases depend upon decision from the United States Supreme Court.

J. M. Kealoha, selling liquor without a license; Mitaini, same offense; Manuel F. Souza, nuisance; James Ward, larceny; stricken from calendar.

José Rodriguez et al., larceny; Ortiz, one of the defendants, was in court and pleaded not guilty to the indictment. Trial by jury was set for 10 this morning. Attorney Watson, for defendant, objected to George Macauay as interpreter and was given leave to file objections.

John W. Hall, rape; case set over by order of court to May 27, owing to illness of a principal witness. The Deputy Attorney General announced that Kinney, Ballou & McClanahan would assist the prosecution.

Lee Kin, larceny; stricken from calendar.

J. T. Figuerade, Manuel Carvalho and J. J. Souza, assault and battery, is set to follow the Ortiz trial.

Sam Alapai, gambling, failed to respond when called and bond of George Holt in case was declared forfeited.

The case of Yuke was ordered on the calendar and the case then dismissed upon the representations of Attorney Chillingworth that the defendant was dead.

AGAIN ALLEGES FRAUD.

Frank Godfrey, defendant in action brought by John Kidwell for foreclosure of mortgage, filed his answer yesterday, stating he has no knowledge or information sufficient to form a belief as to whether plaintiff during the lifetime of Frank Metcalf acquired all or any of the life estate of Frank Metcalf.

He admits that on or about March 8, 1899, the Emma Ikaika, nee Metcalf, then a widow, signed a certain instrument in writing, but Godfrey denies that by said instrument Emma Ikaika conveyed to defendant any right, title or interest in the land. He avers that the title to any interest Emma Ikaika had in said land was then in Paul Neumann, and that title, after the death of Neumann, passed to Alice Metcalf, as successor of Paul Neumann, and from Alice Metcalf to defendant.

Godfrey avers that an instrument marked exhibit "C," quit-claim deed given to Paul Neumann was obtained by plaintiff from Emma Ikaika without consideration, and by misrepresentation and fraud and by taking advantage of her lack of knowledge of the English language and her ignorance and physical condition, she being then ever since a leper at Molokai."

NOT DEPUTY TREASURER

Upon the return of Territorial Treasurer Wright from Hawaii depends the hearing of the case of the Territory upon the relation of Wong Kwei, as president of the United Chinese Society; Chong Mee Hing, vice president; Li Cheung, secretary; Yim Quon, treasurer, and Lau Tung, assistant treasurer, for a writ of quo warranto vs. C. K. Al, Y. Kee Kan, Lau Tang, C. Kan Hom, H. Fan and Sam Pat (generally known as the Bow Wong element). When the matter was called up for hearing before Judge Gear yesterday forenoon, Henry C. Hapai Registrar of Public Accounts of the Territorial treasury, was called to the stand by Attorney Andrews for the plaintiff to testify as to the filing of the charter and by-laws of the society. Mr. Hapai had copies of the same, and was about to testify concerning them when objection was raised by Attorney Fillman for the defendants on the ground that Mr. Hapai was not the Treasurer nor

the Deputy Treasurer and could not testify of his own knowledge as to the filing of the original papers. The objection was sustained and the case set over until next Wednesday, when the Treasurer will be in the city.

A BIG BOND.

Alfred W. Carter has filed a bond in the sum of \$150,000 as guardian of the estate of Annie T. K. Parker, a minor. His sureties are E. A. Mott-Smith and E. H. Wodehouse. The bond was approved by Judge Humphreys.

ATTORNEYS IN PILIKIA.

No rule promulgated by the Judges of the First Circuit has caused the attorneys more torment than rule 8, relating to endorsements, fasteners and top margins of papers filed for record. The rule reads as follows:

Attorneys shall endorse their names and addresses on all papers served or filed by them, together with the number and title of the court, and cause and the name of the Judge before whom it is pending and the designation or a brief statement of the contents or purpose of the paper so served or filed. This rule shall also apply to parties appearing in person.

To avoid the tearing or ripping of papers intended for filing and those already on the files, by the indiscriminate use of different kinds of fasteners, and to secure uniformity of the endorsements, parties filing papers shall adopt one method of endorsing all papers which shall be in conformity with the original endorsements now upon term and chambers summons.

No other method of endorsement shall be allowed, and clerks shall not file any papers unless changed to conform to the endorsement upon summons or process, whether any has been issued in the case or not.

Unnecessary punching of holes and eyeletting the papers intended for filing shall not be allowed, and all fastening of the papers shall be of temporary nature up to the final ending of any cause.

To avoid the covering of any reading matter after wrapping or fastening the records, the top margin of all papers to be filed shall not be less than one and one-half inches.

The clerks find no end of amusement with the attorneys who brought papers for filing. Three out of every four presented were endorsed on the backs; others were not folded according to rule. In some cases words had been written too high up on the paper, thus transgressing another portion of the rule. Some lawyers had used eyelet fasteners, and then the limit of forbearance with the clerks was reached. It is now an unpardonable sin to use eyelet fasteners as they give more trouble to the clerks when the papers are placed for final record than any others.

The clerks are holding rigidly to the rules and nothing short of a writ of habeas corpus will cause them to flinch.

MINOR COURT NOTES.

Appeal from the District Court to the Circuit Court has been made by defendant in the assumption action of M. G. Silva vs. Manuel da Silva. Also by defendant in case of W. W. Wright vs. Henry Bryant.

Josephine da Costa has petitioned the court to appoint a guardian for Rosa da Costa and Joao da Costa, who are possessed of personal property amounting to \$43 now in the hands of the court.

The plaintiff in the case of Wong But Nam vs. Chock Sing is given until May 10 to file his bill of exceptions in said cause.

Levi & Co., the Washington Mercantile Co. and the Hawaiian Hardware Co. have filed a petition in the United States District Court to put the firm of Wing Wo in bankruptcy, claims for \$73,52 being filed.

W. L. Fisher, a subject of the King of England, was naturalized yesterday in Judge Estee's court, with W. L. Stanley and W. F. Love as witnesses.

J. T. DeBolt has been substituted for I. M. Long as attorney for plaintiff in the assumption suit of the Hawaiian Carriage Manufacturing Co. vs. A. Auton.

Judge Kaulukou failed to produce a check for Attorney Brooks when the case of H. McKechnie vs. J. L. Colburn was called up for hearing before Judge Gear yesterday afternoon. The Judge said that the check would be ready on Monday, and it was agreed that the case would be dismissed when the check changed hands.

David Dayton has filed a bond in the sum of \$7000, with Cecil Brown and E. F. Bishop as sureties, as administrator of the estate of A. B. Scrimgeour, deceased.

David Dayton filed in the Circuit Court for permanent record indenture between himself and Francis Roper Gulstan, Bishop of Papalopoli, in the estate of J. McColgan, deceased. Mr. Dayton has ceased to be the trustee.

Inventory of the estate of John Bryant, deceased, filed in the Circuit Court by David Dayton, makes the following showing:

Ten paid-up shares in Walalua Agricultural Co.	\$1000.00
Ten shares Pioneer Bldg. & Loan Assn., cash value 948.40	
Two lots in Kapiolani Park Add. 200.00	
Household furniture from E. S. Cunha ... 1000.00	
Total 3248.40	

SCIATIC RHEUMATISM CURED AFTER FOURTEEN YEARS OF SUFFERING.

"I have been afflicted with sciatic rheumatism for fourteen years," says Josh Edgar, of Germantown, Cal., U. S. A. "I was able to be around but constantly suffered. I tried everything I could bear of and at last was told to try 'Chamberlain's' Pain Relm, which I did and was immediately relieved and in a short time cured, and I am happy to say it has not since returned." Why not use this liniment and get well? It is for sale by all dealers and druggists. Benson Smith & Co., Ltd., agents for Hawaii.

The proposition to erect a new Y. M. C. A. building was taken up at a directors' meeting held on Monday evening, but was laid over as the Association is not in a position financially at the present time to undertake such a project. The Association is now in arrears in the sum of \$500, about \$200 having been raised recently to reduce indebtedness. The proposition to lease rooms in a building in the vicinity of the Y. M. C. A. for use as lodgings for young men was discussed but passed over, the directors feeling that the present was an inopportune time to branch out in this manner.

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TO CARRY OFF RAINS

The Public Works Officials Have Plans.

(From Wednesday's daily.)

The Public Works Department is preparing plans to prevent floods in Kewalo and Kakaako districts, and in a large area lying between Beretania and King streets during heavy rainfalls. A drain is soon to be laid at the intersection of King and Alapai streets, leading thence along King to South street, thence to Hustace street, connecting there with an old drainage ditch which empties into the ocean near the sewer pump station. The surface water which collects at the intersection of Alapai and King streets has, up to the present time, been carried through a duct which leads through private property in a straight line from Alapai to Hustace street. This drain has now been closed and the department is put to the alternative of building a new drain, according to the plan above, or leaving the water to flood over the streets.

It is the purpose of the department when the treasury has a few dollars more than at present, to continue the drain up Alapai street to the junction of Alapai, Kinau and Lunailio streets.

The drain will be so constructed that it will receive the greater part of the rain which flows off Punchbowl slopes or comes from the valleys on the Waikiki side of the old volcano. This method will prevent the waters from continuing on down the surface of Alapai street, and bar further inundation of the block bounded by Beretania, Punchbowl, King and Alapai streets.

Under present conditions the surface water sweeps down Alapai street from all parts of Punchbowl, with the result that Beretania street between Alapai and Punchbowl streets is transformed into a small river.

The water rises above the curbs on the lower side, and the interior of the block, being much lower than the surrounding streets, is flooded.

A portion of the water is carried out of this block by a drain which cuts under the Rapid Transit track near Walker's boat-building place. This continues down through the Castle premises, across King street to the Langton block, and thence cuts over to Hustace street, the drainage ditch at that point receiving the Alapai drain water.

The department hopes to continue this ditch from the Rapid Transit track through the block to Beretania street, intercepting a ditch which runs under the sidewalk from a point near Amadra's stable and continues to Punchbowl street.

The plans call for continuing the extension of the ditch from the Rapid Transit track to Punchbowl street at the corner of the Hospital premises, continuing thence up Punchbowl street to Kinau street, with a branch running up Miller to Kinau street.

It is thought that this plan, if entirely carried out, will stop the floods at the opening of the drains and prevent Kewalo and Kakaako from becoming catch basins of all the surplus and surface water which comes from the higher districts.

Drainage, to the department, means sanitation, and on this theory the ditch through Kewalo is being constructed to cut through the district from the seashore to King street, opening into Kapiolani street.

Eventually if this drain is carried up Kapiolani street to the foothills, inundation from that source will also be eliminated.

WELAU DROWNED WHILE FISHING

average depth of thirty feet. The balance of the harbor now gives an average depth of twenty-five feet, both figures being low tide depth. This allows plenty of water for the most deeply laden vessels.

The Hackfeld wharf is practically completed and there remains now only the completion of the approach to the wharf from Queen street to render it available. This section of the waterfront is being filled in with debris dredged from the harbor. When tightly packed and levelled off the approach will be macadamized, and everything will then be in readiness on the wharf for the reception of freight. If only the harbor debris were used for the filling, with a surface macadam, the approach would become a quagmire during wet weather.

KING MAY SET FREE PRISONERS

WEDDED ON HEIGHTS

Quiet Ceremony Followed By a Reception.

(From Wednesday's Daily.)

Beneath a canopy of maele, standing in front of a wall of marguerites and surrounded with all the wealth of greenery that field and garden yield, Miss Ruth Carr became Mrs. James McKee last evening at the residence of Mr. and Mrs. H. L. Kerr, on Pacific Heights. The wedding was private in that only the immediate friends of the couple were present at its solemnization, but later there was given a reception for them by their host and hostess, which drew to the mountain home several hundred friends.

To the strains of the wedding march of Mendelssohn the couple entered the drawing room of the residence, where awaiting their coming was stationed the Rev. William Morris Kincaid, who was to tie the knot which binds them for life. They were preceded by tiny Miss Katherine Paris and her double, Miss Katherine Kerr, the one in blue and the other in pink, who strewed blossoms along the path of the twain.

As they stopped before the minister the strains of the march were merged into those of "O Promise Me," which softly played by Miss Hopper, sounded like the words were said which made the two one.

There were present during the ceremony Mr. and Mrs. Kerr, Mr. and Mrs. Edward Paris, Mr. and Mrs. George Paris, Mr. and Mrs. Wells Peterson and Mr. and Mrs. Will Moore. The bride was gowned in white chiffon, in clusters of tucks and with a deep flounce made over white taffeta. She wore a veil and carried white roses, the same blooms being used in the garniture of the boudice.

The house, whose wide lanais lent themselves to the decorative features, readily was transformed by the free use of the greens with which the Heights abound. Everywhere there were used ferns and ti leaves, while about the pillars of the interior were wound long strings of maele, the bright green setting off the rich hues of the woods and furnishing as well a brilliant background for the daisies and other white blossoms which were spread about the walls and tables.

Outside there was even a wider latitude given to the decorative scheme, for there tree ferns and ti covered each post and railing, and parasite vines were twined above until the spacious lanais were a bit of woodland plucked out of the mountain side for the reception of the guests. To add to the brilliance of the scene the entire front of the house had been outlined with strings of varicolored electric lights, and a line of the starlike globes extended down to the street, making a picture which when approaching the house was full of color and contrast.

Refreshments were served on the lanais during the evening by a bevy of young girls, and ices, cakes and punch were partaken by the guests, who spent the evening out in the cool air of the upper levels. Later there was dancing, which kept the young people until a late hour, special cars being run for their convenience.

During the reception Mr. and Mrs. McKee stood beside Mr. and Mrs. Kerr, who presented the guests as they approached from the reception room. Mr. and Mrs. McKee will spend their honeymoon out of town, though it is not known just where they will make their temporary home. When they return they will be domiciled, for the present at least, with Mr. and Mrs. Kerr. Theirs was the first wedding on Pacific Heights and their friends were about them in force during the evening.

CORN DUTIES DEBATE.

Cobdenites Making a Great Campaign Against Budget.

LONDON, April 22.—The House of Commons has passed the increase in the income tax by 290 to 61.

Some Unionists confessed in the House of Commons that the grain duty strained their loyalty.

Sir M. Hicks-Beach (Chancellor of the Exchequer) replied that if peace came soon—concerning which nothing could be more premature than the rumors published by the newspapers—all the taxation and the loan would still be wanted, for the increasing normal expenditure required an increase in direct taxation.

The Cobden Club has issued a manifesto, in which the duties on grain and flour are made the text of an attack on the Government policy. It is argued that the duties are equivalent to four millions sterling wrested from the consumers.

LONDON, April 22.—The corn trade members of the London Chamber of Commerce have resolved that the true ratio of duty should be 2d on wheat, 4d on flour and 2d on oats.

In the House of Commons the corn and flour duties were carried by 283 votes to 197. Sir M. Hicks-Beach agreed to a duty on oats of 3d.

Emmeluth Gets the Contract.

John Emmeluth was awarded yesterday the contract for building the reservoir and laying the water pipe for the Lahaina water works. His bid was the lowest, a total of \$7260.75 being put in by him. The highest bid was \$11,744. The entire cost of the Lahaina water works will be in the neighborhood of \$15,000, which includes the cost of the pipe and other materials. There will be a capacity of 500,000 gallons, with a reservoir capacity of 250,000 gallons. The town

FEE FADES INTO AIR

Magoon to Guard His Ward Again.

(From Thursday's Daily.)

Spendthrift Guardian Magoon can continue as such over the person and property of Kalua Kapukini, Thomas Fitch will not get one-fifth of the estate for his legal services. George A. Davis will receive no further allowance for expending so much eloquence in the case, and Mr. Magoon's fees are cut down to \$100. The decision in the matter of the estate of Kalua Kapukini, rendered yesterday by Chief Justice Frear, and concurred in by Justices Ferry and Galbraith, was a bombshell and upset many nice little arrangements for the division of Kapukini's estate.

Judge Little, of the Hilo circuit, who presided at the October term of the Circuit Court, rendered the decree in the Probate Court which terminated the spendthrift guardianship of Mr. Magoon. The syllabus states that "a Circuit Judge, sitting in probate, rendered a decree terminating a spendthrift trust and discharging the guardian on the ground that the same was no longer necessary. It was made to appear, on appeal, that on the same day the decree was entered the ward executed a trust deed conveying her entire estate to a trustee and directing that one-fifth of the amount thereof be paid to one of her attorneys as a fee. The Supreme Court has held that such a trust deed may be considered, when properly presented, by the Appellate Court, and that in this case the deed, together with the other evidence, shows conclusively that the decree appealed from is erroneous."

Kapukini filed her petition in the Probate Court, setting out that she believed she was capable of managing her own estate and affairs, and prayed that the spendthrift trust be terminated and the guardian discharged. The Judge found for the petitioner and ordered the guardian discharged. He ordered that George A. Davis be paid out of the estate \$250 for his fee and the same for Magoon. The guardian appealed. The decree was filed October 7, 1901, at 3:10 p.m. The trust deed was acknowledged on the same day one hour and twenty minutes later. By this deed Kalua, in consideration of \$1, conveyed to William S. Fleming, as trustee, all her property. He was to pay to Thomas Fitch 20 per cent of the gross value of all the property that had been released by her by the decree terminating the spendthrift trust. The Supreme Court concludes:

"This trust deed is an eloquent witness against the petitioner. It is a confession on the part of Kalua, if not a conclusive demonstration of error in the finding of the trial Judge, i.e., that the guardianship of Kalua's property and the attorneys generally felt that was no longer necessary. The evening of the day that she is found competent to manage and control her own property, and within two hours after the decree is filed, she conveys all of her estate to a trustee and gives one-fifth of the gross amount thereof to one of her attorneys as a fee. This trust deed and its generous distribution of the ward's inheritance is not a pleasant subject of contemplation in connection with the estate of one who for years past has been under the protection of the court. The appeal is sustained and the decree reversed and the cause remanded to the Probate Court with direction to dismiss the petition and for such further proceedings as may be necessary."

Judge Perry, in his concurring opinion, says that the evidence adduced at the trial does not show that the ward has reformed in respect to her habits as to excessive drinking or that the guardianship is no longer necessary. He says that the trust-deed episode is sufficient cause for a continuance of the guardianship.

QUESTION OF VITAL IMPORTANCE.

On Monday morning Judge Gear will give his decision upon the question raised and discussed as to whether the three Circuit Court Judges have the right to sit separately in term time to shall be styled First, Second and Third Judges respectively, of the Circuit Court of the First Circuit, either of whom may hold the court."

The question was raised as to the meaning and intent of the phrase, "either of whom may hold the court." Session Laws of 1892, amended by the legislature of 1901, as follows:

"The Circuit Court of the First Circuit shall consist of three judges, who hear jury cases, under the construction of section 89 of Chapter LVII of the meaning was that only one judge could hold the court as presiding judge in the hearing of jury cases, the others sitting only at chambers."

Arguments were presented by attorneys Robertson, Dickey, Magoon and Cecil Brown, to show that there was no intent to circumscribe the procedure of the courts by permitting only one judge to hear cases. Former Judge Stanley made the positive statement, in reply to a question put to him by Judge Humphreys, who sat on the bench with Judge Gear that he considered it unsafe, now that the question was raised, to have decisions come from any court in term time except those in which the presiding judge was concerned, and doubted the legality of having the three judges sit separately. The question had been raised while he was sitting on the bench but had never been pressed as it was considered that the court would become congested with cases.

Mr. Magoon suggested that if the judge would deny that he had any jurisdiction in the matter of holding court while Judge Robinson was sitting, the matter could be brought before the Supreme Court on mandamus proceedings. Most of the attorneys, as well as the judges themselves, felt that this would be a simple way out of the difficulty, leaving the question to the Supreme Court to decide.

Much of the argument hinged on the use of the word "either" in the amend-

HAYWOOD'S GRAND DINNER TO HAWAII'S EXECUTIVE

WASHINGTON, D. C., April 22.—The dinner given by Mr. William Haywood to Governor Dole last evening was fortunate in the presence of so many distinguished guests who had responded at short notice. It usually requires three weeks of previous notice to secure the presence of a social or political "lion." Mr. Haywood was able to secure his guests on a few days' notice. At the last moment Senator Spooner telephoned from New York that he would not be able to reach the city in time for the dinner, and Representative Newlands was compelled to attend an important Democratic caucus. He had, however, entertained the Governor several days previously at his country seat at Chevy-Chase, and had a full conference with him on the subject of the land laws.

The dinner was served in the large dining room of the Metropolitan Club. The center of the large round table was filled with a mass of roses.

At the coffee, Mr. Haywood offered a toast to Governor Dole. He said he was delighted to have him as a guest and much gratified that so many distinguished men had found the time to meet him. The Governor had been the chief executive of the Hawaiian Government in its various changes since the overthrow of the monarchy in 1893. His task had not been an easy one. He, and those who stood by him, had been confronted with political and social questions, which might embarrass many of those who were present, though they were accustomed to deal with many phases of political life. The difficulties arising out of these affairs had prompted the President to invite a conference with the Governor and it appeared to be most satisfactory to both parties. The President had stated before the Governor's arrival that he never contemplated his removal, but desired to confer with him in order to reach a better understanding of the Territorial affairs. He thought himself to be most fortunate in bringing so many of the distinguished leaders of the Republican party and the Governor into a pleasant social relation.

Governor Dole replied briefly. He said it gave him extreme pleasure to meet these distinguished men. So far Hawaii was concerned he had a firm faith in the improvement of her political situation. The President understood the situation and if it did not improve he would know the reason for it. Mr. Carter had done excellent service in aiding the President to a better knowledge of the forces that were at work in disturbing harmony. The Governor told several stories about Hawaiian experiences which greatly pleased his audience. He closed by thanking the eminent representatives of the National Congress for affording him an opportunity to meet them.

Mr. Haywood then stated that he did not intend to ask for speeches, and he would follow the legislative plan of going into a "committee of the whole" and would ask Speaker Henderson to take the chair.

The Speaker was in an uncommonly pleasant mood. He said that he had done all that he could to facilitate the establishment of good government in Hawaii. He was glad that Governor

had done all of his duty, and the attorneys generally felt that was no longer necessary. The evening of the day that she is found competent to manage and control her own property, and within two hours after the decree is filed, she conveys all of her estate to a trustee and gives one-fifth of the gross amount thereof to one of her attorneys as a fee. This trust deed and its generous distribution of the ward's inheritance is not a pleasant subject of contemplation in connection with the estate of one who for years past has been under the protection of the court. The appeal is sustained and the decree reversed and the cause remanded to the Probate Court with direction to dismiss the petition and for such further proceedings as may be necessary."

In a case involving only a few hundred dollars there was not so much at stake one way or the other, but where a case involved large sums of money, there was need to know definitely whether the other two judges had the legal right to sit during term time as well as the presiding judge. Mr. Dickney made an able argument in support of the affirmative side, contending that all points in the law pointed to the right of the three judges to sit separately during the term, having equal jurisdiction with the presiding judge.

JUROR IN PILIKIA

When the jury list was called yesterday morning by Judge Robinson, Juror Timmons was absent, and a citation was issued for his appearance at 2 p.m. He was then present. The judge stated that Mr. Timmons had explained satisfactorily to him a reason for his failure to attend. However, he warned jurors in general that in case any one of them could not be present, a message of some nature should reach the judge promptly so as not to keep the court waiting.

DENY CLAIMS OF BOW WONGS

Replication has been filed by petitioners in the case of the United Chinese Society, by its officers, v. C. K. Al et al. (Bow Wong's faction) as follows:

Denial that on January 1, 1902, at a duly called meeting of the United Chinese Society, that C. K. Al and other defendants were duly and legally elected its officers. Petitioners deny that in accordance with the direction of the Treasurer of Hawaii, a meeting was held on the date mentioned. Denial is made that a meeting was held on April 20, 1902, as alleged in defendant's answer. Petitioners allege that each and all of the meetings alleged to have been held were void and illegal and participated in by persons not legal members of the Society. Denial is also made that defendants have rightfully exercised the functions appertaining to the respective offices. Denial is also made that no protest was filed against the alleged list of officers.

Judge Humphreys yesterday signed the order approving the account of M. G. Siles, administrator of the estate of John de Costa deceased, and discharging said administrator. The latter is directed to pay into court the distributive shares of the minor heirs of said deceased.

PREJUDICED AGAINST PORTO RICANS

Juror F. Scott was excused from serving in the Ortiz larceny case yesterday because he expressed a poor opinion of Porto Ricans as a class. He said he had scruples about sitting as a juror in a case where a Porto Rican was defendant. He intimated that such a defendant would care little about the truth of statements made by him, except that it assisted to get him

Dole had come to Washington and had seen the President. Turning to him he said: "We are with you, Governor Dole; we trust you and we will stand by you." The Speaker then made some humorous allusions to the visit of "Joe" Cannon to the Islands, and his deep knowledge of the customs and habits of the natives.

He then called upon Senator Culom, who said that he had been on the commission to frame an organic act for the Hawaiian Territory. He had been in the Islands and knew their condition. He had favored the provision for a limitation of the suffrage for he thought it wise. But Congress did not take his view of the matter and he had acquiesced in its decision. IF THE NATIVES SHOULD PROVE THEMSELVES UNABLE TO MAINTAIN GOOD GOVERNMENT IN HAWAII, THEY WOULD BE IN GREAT DANGER OF FORCING CONGRESS TO ESTABLISH A LIMITED SUFFRAGE

Speaker Fornaker then spoke at some length on the expansion movement, and his own connection with it. Turning to Governor Dole, who sat at his side, he said: "The President is with you, and go back to your Islands knowing that you are sustained."

The Speaker then called on Mr. Cannon, who spoke with much feeling about the pleasure of his visit to the Islands, and his earnest wish that the government established under the organic act would be successful. He was glad that Governor Dole was sustained.

Speaker Henderson then called on Mr. Armstrong, who said that about eight thousand Anglo-Saxons in Hawaii were matched against over one hundred and forty thousand people, alien in race, in thought, in customs and sentiment to the Americans. American institutions had been established there seventy years ago by the ancestors of Governor Dole, Thurston, Carter and himself. The descendants of those men were bound to maintain these institutions. There would be, no doubt, in the future, an overwhelming population of native born Portuguese, Chinese and Japanese, but they were born within an American environment, were largely free from their inherited traditions, and under the influence of their new education and associations would become American citizens of an excellent type and the Nation would not be ashamed of them. Congress had given the native population unlimited suffrage, on the theory that they knew how to govern themselves. Professor Tyndall once said that the tragedy of science was a "Beautiful Theory killed by an Incontrovertible Fact." The natives had exhibited the Tragedy of Politics. "The Beautiful theory of Democracy killed by an Irresponsible vote."

In response to a call from the Speaker, Chairman Knox of the committee on territories, made a brief speech, in which he alluded to his interest in Hawaii. He earnestly hoped that the Territory would send a Delegate who knew something about the country which he represented. It was an important matter.

At the Speaker's suggestion, Congressman Tawney led in singing "Lang Syne." The guests left at midnight. D. C. L.

in the premises. However, he suggested that if any member of the bar had any suggestions to make the court would be pleased to hear them. He preferred having rules rigidly enforced, and that such rules emanate from the bar and not from the judges.

ORTZ FOUND GUILTY

The first jury case in Judge Rollins' court came to close yesterday at 5 p.m. when the jury in the case of the Territory vs. Ortiz, larceny, brought in a verdict of guilty. Attorney Watson for defendant will present a motion to arrest the sentence of the court this morning, and sentence has been deferred until tomorrow morning. Ortiz is a Porto Rican who stole \$25, a pair of boots, a pair of spectacles and other articles from the house of a Mrs. Shaw. His accomplice was witness for the prosecution.

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WANT THE TREASURER

Registrar Hopai Is Barred as a Witness.

(From Wednesday's daily.)

Judge Robinson called the criminal cases of the May term calendar yesterday morning, making disposition of the cases according to the requirements of the attorneys and their clients and to the suggestions of the Attorney General's departments. The prisoners held under indictment to the Circuit Court were present, and the trial jurors were also in attendance. Of the eighteen jurors, six were discharged for cause.

John K. Wilder and W. L. Disney, sickness.

C. L. Dement, retail liquor dealer, excused on account of pressure of business.

Lot Lane, excused for term on account of illness of his brother.

Ruby Dexter, bookkeeper First National Bank. It was satisfactorily explained to the court that the bank would be seriously crippled by his absence.

A. S. Prescott, of May & Co., said the affairs of the company needed his constant attention until the return of H. McIntyre, the new manager, from the Coast. The court thought that he could manage the firm's affairs when he was not sitting on the jury, and denied the request to be excused.

Sol Kupheia explained through the Hawaiian interpreter that he was not thoroughly acquainted with the English language and would therefore not be a good juror. He was excused.

A special venire of ten jurors was then called, the clerk choosing the names from a box in the open court, and reading the names to the bailiff. The venire resulted as follows: J. W. Akana, C. C. Conradt, E. Henriques, F. J. Church, Edward C. Brown, H. M. Whitney, Jr., D. H. Hitchcock, C. W. Macfarlane, F. P. McIntyre, James W. Lloyd. The list is returnable this morning at 10 o'clock.

The criminal cases were disposed of as follows:

George Wade, assault with intent to murder; nolle prossed. Prisoner was sentenced to ten years imprisonment last term for manslaughter.

William Ester, murder, first degree; Kaluna, burglary, first degree; William Ester, assault with intent to murder; all continued for the term, as all the cases depend upon decision from the United States Supreme Court.

J. M. Kealoha, selling liquor without a license; Mitalini, same offense; Manuel Peixoto, nuisance; James Ward, larceny; stricken from calendar.

José Rodriguez et al., larceny. Ortiz, one of the defendants, was in court and pleaded not guilty to the indictment. Trial by jury was set for 10 this morning. Attorney Watson, for defendant, objected to George Macaulay as interpreter and was given leave to file objections.

John W. Hall, rape; case set over by order of court to May 27, owing to illness of a principal witness. The Deputy Attorney General announced that Kinney, Ballou & McClanahan would assist the prosecution.

Lee Kim, larceny; stricken from calendar.

J. T. Figuerade, Manuel Carvalho and J. J. Souza, assault and battery, is set to follow the Ortiz trial.

Sam Alapal, gambling, failed to respond when called and bond of George Holt in case was declared forfeited.

The case of Yuke was ordered on the calendar and the case then dismissed upon the representations of Attorney Chillingworth that the defendant was dead.

AGAIN ALLEGES FRAUD.

Frank Godfrey, defendant in action brought by John Kilwell for foreclosure of mortgage, filed his answer yesterday, stating he has no knowledge or information sufficient to form a belief as to whether plaintiff during the lifetime of Frank Metcalf acquired all or any of the life estate of Frank Metcalf. He admits that on or about March 8, 1899, the Emma Ikaika, nee Metcalf, then a widow, signed a certain instrument in writing, but Godfrey denies that by said instrument Emma Ikaika conveyed to defendant any right, title or interest in the land. He avers that the title to any interest Emma Ikaika had in said land was then in Paul Neumann, and that title, after the death of Neumann, passed to Alice Metcalf, as successor of Paul Neumann, and from Alice Metcalf to defendant.

Godfrey avers that an instrument marked exhibit "C" quitclaim deed given to Paul Neumann "was obtained by plaintiff from Emma Ikaika without consideration, and by misrepresentation and fraud and by taking advantage of her lack of knowledge of the English language and her ignorance and physical condition, she being then ever since a leper at Molokai."

NOT DEPUTY TREASURER

Upon the return of Territorial Treasurer Wright from Hawaii depends the hearing of the case of the Territory upon the relation of Wong Kwei, as president of the United Chinese Society, Chong Mei Hung, vice president, Li Cheung, secretary, Yim Quon, treasurer, and Lau Teung, assistant treasurer, for a writ of quo warranto vs. C. K. Al, Y. Kee Kian, Lau Tang, C. Kan Horn, Ho Fan and Sam Fal (generally known as the Dow Wong element). When the matter was called up for hearing before Judge Gear yesterday forenoon, Henry C. Hopai Registrar of Public Accounts of the Territorial treasury, was called to the stand by Attorney Andrews for the plaintiff, to testify as to the filing of the charter and by-laws of the society. Mr. Hopai had copies of the same and was about to testify concerning them when objection was raised by Attorney Shillman for the defendants on the ground that Mr. Hopai was not the Treasurer nor

the Deputy Treasurer and could not testify of his own knowledge as to the filing of the original papers. The objection was sustained and the case set over until next Wednesday, when the Treasurer will be in the city.

A BIG BOND.

Alfred W. Carter has filed a bond in the sum of \$150,000 as guardian of the estate of Annie T. K. Parker, a minor. His sureties are E. A. Mott-Smith and E. H. Wodehouse. The bond was approved by Judge Humphreys.

ATTORNEYS IN PILIKIA.

No rule promulgated by the Judges of the First Circuit has caused the attorneys more torment than rule 8, relating to endorsements, fasteners and top margins of papers filed for record. The rule reads as follows:

Attorneys shall endorse their names and addresses on all papers served or filed by them, together with the number and title of the court and cause and the name of the Judge before whom it is pending and the designation or a brief statement of the contents or purpose of the paper so served or filed. This rule shall also apply to parties appearing in person.

To avoid the tearing or ripping of papers intended for filing and those already on the files, by the indiscriminate use of different kinds of fasteners, and to secure uniformity of the endorsements, parties filing papers shall adopt one method of endorsing all papers which shall be in conformity with the original endorsements now upon term and chambers summons.

No other method of endorsement shall be allowed, and clerks shall not file any papers unless changed to conform to the endorsement upon summons or process, whether any has been issued in the case or not.

Unnecessary punching of holes and eyeletting the papers intended for filing shall not be allowed, and all fastening of the papers shall be of a temporary nature up to the final ending of any cause.

To avoid the covering of any reading matter after wrapping or fastening the records, the top margin of all papers to be filed shall not be less than one and one-half inches.

The clerks find no end of amusement with the attorneys who brought papers for filing. Three out of every four presented were endorsed on the backs; others were not folded according to rule. In some cases words had been written too high up on the paper, thus transgressing another portion of the rule. Some lawyers had used eyelet fasteners, and then the limit of forbearance with the clerks was reached. It is now an unpardonable sin to use eyelet fasteners as they give more trouble to the clerks when the papers are placed for final record than any others. The clerks are holding rigidly to the rules and nothing short of a writ of habeas corpus will cause them to flinch.

MINOR COURT NOTES.

Appeal from the District Court to the Circuit Court has been made by defendant in the assumption action of M. G. Silva vs. Manuel da Silva. Also by defendant in case of W. W. Wright vs. Henry Bryant.

Josephine da Costa has petitioned the court to appoint a guardian for Rosa da Costa and Joao da Costa, who are possessed of personal property amounting to \$743 now in the hands of the

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WELAU DROWNED WHILE FISHING

(From Wednesday's daily.)

A well-known native man named Welau was drowned yesterday afternoon while fishing on Quarantine Island.

Deceased, with two other natives, had been fishing steadily for the last four days without much luck, and had,

it is said, during the trip, consumed a

great deal of ginseng.

Yesterday afternoon about 3 o'clock

the boat somehow got swamped in the surf, which was very heavy, and all the occupants were thrown into the water. The other two men managed to cling to the boat, but Welau was drowned, notwithstanding the fact that he was a powerful swimmer.

As soon as they could get ashore the survivors of the accident notified the police department of Welau's drowning, and the police boat was dispatched to bring the body to Brewer's wharf. From the wharf it was taken to the morgue.

Last night a coroner's jury, consisting of W. H. Comey, G. Andrews, L. D. W. Ward, A. W. Neely, A. P. McDonald and H. M. Ayers, viewed the remains. The inquest will be held at 5 p.m. today at the police station.

Deceased was a man of about 40 years of age and finely built; indeed his prowess as a strong man is well known among the natives. In the time of the Monarchy he was employed upon the royal force and has since then held a similar commission. He leaves a wife and family.

It was thought at first that Welau's death might have been due to foul play, but no marks of violence were found upon the body. Dr. Pratt performed an autopsy and discovered a

quantity of alcohol in the stomach of deceased, which leaves little doubt that he was under the influence of liquor when he was thrown into the water and was so rendered helpless.

TO CARRY OFF RAINS

The Public Works Officials Have Plans.

(From Wednesday's daily.)

The Public Works Department is preparing plans to prevent floods in Kewalo and Kakaako districts, and in a large area lying between Beretania and King streets during heavy rainfalls. A drain is soon to be laid at the intersection of King and Alapai streets, leading thence along King to South street, thence to Hustace street, connecting there with an old drainage ditch which empties into the ocean near the sewer pump station. The surface water which collects at the intersection of Alapai and King streets has, up to the present time, been carried through a duct which leads through private property in a straight line from Alapai to Hustace street. This drain has now been closed and the department is put to the alternative of building a new drain, according to the plan above, or leaving the water to flood over the streets.

It is the purpose of the department, when the treasury has a few dollars more than at present, to continue the drain up Alapai street to the junction of Alapai, Kinau and Lunailio streets. The drain will be so constructed that it will receive the greater part of the rain which flows off Punchbowl slopes or comes from the valleys on the Waikiki side of the old volcano. This method will prevent the waters from continuing on down the surface of Alapai street, and bar further inundation of the block bounded by Beretania, Punchbowl, King and Alapai streets. Under present conditions the surface water sweeps down Alapai street from all parts of Punchbowl, with the result that Beretania street between Alapai and Punchbowl streets is transformed into a small river. The water rises above the curbs on the lower side, and the interior of the block, being much lower than the surrounding streets, is flooded.

A portion of the water is carried out of this block by a drain which cuts under the Rapid Transit track near Walker's boat-building place. This continues down through the Castle premises, across King street to the Langton block, and thence cuts over to Hustace street, the drainage ditch at that point receiving the Alapai drain water. The department hopes to continue this ditch from the Rapid Transit track through the block to Beretania street, intercepting a ditch which runs under the sidewalk from a point near Andrade's stable and continues to Punchbowl street. The plan calls for continuing the extension of the ditch from the Rapid Transit track to Punchbowl street at the corner of the Hospital premises, continuing thence up Punchbowl street to Kinau street, with a branch running up Miller to Kinau street.

It is thought that this plan, if entirely carried out, will stop the floods at the opening of the drains and prevent Kewalo and Kakaako from becoming catch basins of all the surplus and surface water which comes from the higher districts. Drainage, to the department, means sanitation, and on this theory the ditch through Kewalo is being constructed to cut through the district from the seashore to King street, opening into Kapiolani street. Eventually if this drain is carried up Kapiolani street to the foothills, inundation from that source will also be eliminated.

NO NEWS LATER BY THE FREIGHTER

(From Wednesday's daily.)

The American-Hawaiian steamer Californian, Captain Lyons, arrived from San Francisco yesterday morning via Seattle and Tacoma. The latter port was left on April 25 but notwithstanding this was two days later than the date of the last news from the Coast, it was impossible to obtain any later papers aboard the freighter.

Ten paid-up shares in Walajua Agricultural Co. \$1000.00

Ten shares Pioneer Ridge & Loan Assn. cash value 945.40

Two lots in Kapiolani Park Add. 200.00

Leasehold from E. S. Punha 1000.00

Household furniture 100.00

Total \$3248.40

STATIC RHEUMATISM CURED AFTER FOURTEEN YEARS OF SUFFERING.

I have been afflicted with static rheumatism for fourteen years," says Josh Edgar, of Germantown, Cal. U. S. A. "I was able to be around but constantly suffered. I tried everything I could hear of and at last was told to try Chamberlain's Pain Balm, which I did and was immediately relieved and in a short time cured, and I am happy to say it has not since returned." Why not use this liniment and get well? It is for sale by all dealers and druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

The proposition to erect a new Y. M. C. A. building was taken up at a directors' meeting held on Monday evening, but was laid over as the Association is not in a position financially at the present time to entertain such a project. The Association is now in arrears in the sum of \$500, about \$2000 having been raised recently to reduce its indebtedness. The proposition to lease rooms in a building in the vicinity of the Y. M. C. A. for use as lodgings rooms for young men was discussed and passed over, the directors feeling that the present was an inopportune time to branch out in this manner.

The dredging in the main part of the harbor which has been carried on by the Department of Public Works will be complete this morning. The dredger has removed all the old-time mud banks which formerly obstructed the free passage-way of deep-laden vessels, and there is now an approach 40 feet wide to the new Hackfeld wharf at the Ewa end of the harbor, with an

average depth of thirty feet. The balance of the harbor now gives an average depth of twenty-five feet, both figures being low tide depth. This allows plenty of water for the most deeply laden vessels.

The Hackfeld wharf is practically completed and there remains now only the completion of the approach to the wharf from Queen street to render it available. This section of the waterfront is being filled in with debris dredged from the harbor. When tightly packed and leveled off the approach will be macadamized, and everything will then be in readiness on the wharf for the reception of freight. If only the harbor debris were used for the filling, with a surface macadam, the approach would become a quagmire during wet weather.

KING MAY SET FREE PRISONERS

WEDDED ON HEIGHTS

Quiet Ceremony Is Followed By a Reception.

(From Wednesday's Daily.)

Beneath a canopy of male, standing in front of a wall of marguerites and surrounded with all the wealth of greenery that field and garden yield, Miss Ruth Carr became Mrs. James McKee last evening at the residence of Mr. and Mrs. H. L. Kerr, on Pacific Heights. The wedding was private in that only the immediate friends of the couple were present at its solemnization, but later there was given a reception for them by their host and hostess, which drew to the mountain home several hundred friends.

To the strains of the wedding march of Mendelssohn the couple entered the drawing room of the residence, where awaiting their coming was stationed the Rev. William Morris Kincaid, who was to tie the knot which binds them for life. They were preceded by tiny Miss Katherine Paris and her double, Miss Katherine Kerr, the one in blue and the other in pink, who strewed blossoms along the path of the twain.

The Pall Mall Gazette, professing to reflect information possessed by the Netherlands Government, says the Boers are willing that rebels should not be amnestied if Britain does not exact penalties from the Boers in the event of the rebels continuing guerrilla warfare. The Boers object to admit that they have forfeited their independence, though they are willing to sign a treaty incorporating the republics in the British Empire, and are also willing to not insist upon the immediate withdrawal of the banishment proclaimed if the King at the coronation in June next agrees to the cancellation of the proclamation.

LONDON, April 24.—It is expected that the King will release all British military prisoners on the coronation. LONDON, April 24.—The newspapers consider the fact that Schalk Burger is accompanying Steyn and De la Rey on their visit to the western commandos a good augury.

There were present during the ceremony Mr. and Mrs. Kerr, Mr. and Mrs. Edward Paris, Mr. and Mrs. George Paris, Mr. and Mrs. Wells Peterson and Mr. and Mrs. Will Hooper. The bride was gowned in white chiffon, in clusters of tucks and with a deep flounce made over white taffeta. She wore a veil and carried white roses, the same blossoms being used in the garniture of the boudoir.

The house, whose wide lanais lent themselves to the decorative features readily, was transformed by the free use of the greens with which the Heights abound. Everywhere there were used ferns and ti leaves, while about the pillars of the interior were wound long strings of male, the bright green setting off the rich hues of the woods and furnishing as well a brilliant background for the daisies and other white blossoms which were spread about the walls and tables.

Outside there was even a wider latitude given to the decorative scheme, for there tree ferns and ti covered each post and railing, and parasite vines were twined above until the spacious lanais were a bit of woodland plucked out of the mountain side for the reception of the guests. To add to the brilliance of the scene the entire front of the house had been outlined with strings of varicolored electric lights, and a line of the starlike globes extended down to the street, making a picture which when approaching the house was full of color and contrast.

Refreshments were served on the lanais during the evening by a bevy of young girls, and ices, cakes and punch were partaken by the guests, who spent the evening out in the cool air of the upper levels. Later there was dancing, which kept the young people until a late hour, special cars being run for their convenience.

During the reception Mr. and Mrs. McKee stood beside Mr. and Mrs. Kerr, who presented the guests as they approached from the reception room. Mr. and Mrs. McKee will spend their honeymoon out of town, though it is not known just where they will make their temporary home. When they return they will be domiciled, for the present at least, with Mr. and Mrs. Kerr. Theirs was the first wedding on Pacific Heights and their friends were about them in force during the evening.

CORN DUTIES DEBATE.

Cobdenites Making a Great Campaign Against Budget.

LONDON, April 22.—The House of Commons has passed the increase in the income tax by 29 to 61.

Some Unionists confessed in the House of Commons that the grain duty strained their loyalty.

Sir M. Hicks-Beach (Chancellor of the Exchequer) replied that if peace came soon—concerning which nothing could be more premature than the rumors published by the newspapers—all the taxation and the loan would

FEE FADES INTO AIR

Magoon to Guard His Ward Again.

(From Thursday's Daily.)

Spendthrift Guardian Magoon can continue as such over the person and property of Kalua Kapukini, Thomas Fitch will not get one-fifth of the estate for his legal services, George A. Davis will receive no further allowance for expending so much eloquence in the case, and Mr. Magoon's fees are cut down to \$100. The decision in the matter of the estate of Kalua Kapukini, rendered yesterday by Chief Justice Frear, and concurred in by Justices Perry and Gairbraith, was a bombshell and upset many nice little arrangements for the division of Kapukini's estate.

Judge Little, of the Hilo circuit, who presided at the October term of the Circuit Court, rendered the decree in the Probate Court which terminated the spendthrift guardianship of Mr. Magoon. The syllabus states that "a Circuit Judge, sitting in probate, rendered a decree terminating a spendthrift trust and discharging the guardian on the ground that the same was no longer necessary. It was made to appear, on appeal, that on the same day the decree was entered the ward executed a trust deed conveying her entire estate to a trustee and directing that one-fifth of the amount thereof be paid to one of her attorneys as a fee. The Supreme Court has held that such a trust deed may be considered, when properly presented, by the Appellate Court, and that in this case the deed, together with the other evidence, shows conclusively that the decree appealed from is erroneous."

Kapukini filed her petition in the Probate Court setting out that she believed she was capable of managing her own estate and affairs, and prayed that the spendthrift trust be terminated and the guardian discharged. The Judge found for the petitioner and ordered the guardian discharged. He ordered that George A. Davis be paid out of the estate \$250 for his fee and the same for Magoon. The guardian appealed. The decree was filed October 7, 1901, at 3:10 p.m. The trust deed was acknowledged on the same day one hour and twenty minutes later. By this deed Kalua, in consideration of \$1, conveyed to William S. Fleming, as trustee, all her property. He was to pay to Thomas Fitch 20 per cent of the gross value of all the property that had been released by her by the decree terminating the spendthrift trust. The Supreme Court concludes:

"This trust deed is an eloquent witness against the petitioner. It is a confession on the part of Kalua, if not a conclusive demonstration of error in the finding of the trial Judge, i.e., that the guardianship of Kalua's property and the attorneys generally felt that was no longer necessary."

The evening of the day that she is found competent to manage and control her own property, and within two hours after the decree is filed, she conveys all of her estate to a trustee and gives one-fifth of the gross amount thereof to one of her attorneys as a fee. This trust deed and its generous distribution of the ward's inheritance is not a pleasant subject of contemplation in connection with the estate of one who for years past has been under the protection of the court." The appeal is sustained and the decree reversed and the cause remanded to the Probate Court with direction to dismiss the petition and for such further proceedings as may be necessary."

Judge Perry, in his concurring opinion, says that the evidence adduced at the trial does not show that the ward has reformed in respect to her habits, as to excessive drinking or that the guardianship is no longer necessary. He says that the trust-deed episode is sufficient cause for a continuance of the guardianship.

QUESTION OF VITAL IMPORTANCE

On Monday morning Judge Gear will give his decision upon the question raised and discussed as to whether the three Circuit Court Judges have the right to sit separately in term time to shall be styled First, Second and Third Judges respectively, of the Circuit Court of the First Circuit, either of whom may hold the court."

The question was raised as to the meaning and intent of the phrase "either of whom may hold the court," Session Laws of 1892, amended by the legislature of 1901, as follows:

"The Circuit Court of the First Circuit shall consist of three judges, who hear jury cases, under the construction of section 89 of Chapter LVI of the meaning was that only one judge could hold the court as presiding judge in the hearing of jury cases, the others sitting only at chambers."

Arguments were presented by attorneys Robertson, Dickey, Magoon and Cedric Brown, to show that there was no intent to circumscribe the procedure of the courts by permitting only one judge to hear cases. Former Judge Stanley made the positive statement, in reply to a question put to him by Judge Humphreys, who sat on the bench with Judge Gear, that he considered it unsafe, now that the question was raised, to have decisions come from any court in term time except those in which the presiding judge was concerned, and doubted the legality of having the three judges sit separately. The question had been raised while he was sitting on the bench but had never been pressed as it was considered that the court would become congested with cases.

Mr. Magoon suggested that if the judge would deny that he had any jurisdiction in the matter of holding court while Judge Robinson was sitting, the matter could be brought before the Supreme Court on mandamus proceedings. Most of the attorneys, as well as the judges themselves, felt that this would be a simple way out of the difficulty, leaving the question to the Supreme Court to decide.

Much of the argument hinged on the use of the word "either" in the amend-

HAYWOOD'S GRAND DINNER TO HAWAII'S EXECUTIVE

WASHINGTON, D. C., April 22.—The dinner given by Mr. William Haywood to Governor Dole last evening was fortunate in the presence of so many distinguished guests who had responded at short notice. It usually requires three weeks of previous notice to secure the presence of a social or political "lion." Mr. Haywood was able to secure his guests on a few days' notice. At the last moment Senator Spooner telephoned from New York that he would not be able to reach the city in time for the dinner, and Representative Newlands was compelled to attend an important Democratic caucus. He had, however, entertained the Governor several days previously at his country seat at Chevy-Chase, and had a full conference with him on the subject of the land laws.

The dinner was served in the large dining room of the Metropolitan Club. The center of the large round table was filled with a mass of roses.

At the coffee, Mr. Haywood offered a toast to Governor Dole. He said he was delighted to have him as a guest, and much gratified that so many distinguished men had found the time to meet him. The Governor had been the chief executive of the Hawaiian Government in its various changes since the overthrow of the monarchy in 1898. His task had not been an easy one. He, and those who stood by him, had been confronted with political and social questions, which might embarrass many of those who were present, though they were accustomed to deal with many phases of political life. The difficulties arising out of these affairs had prompted the President to invite a conference with the Governor and it appeared to be most satisfactory to both parties. The President had stated before the Governor's arrival that he never contemplated his removal, but desired to confer with him in order to reach a better understanding of the Territorial affairs. He thought himself to be most fortunate in bringing so many of the distinguished leaders of the Republican party and the Governor into a pleasant social relation.

Governor Dole replied briefly. He said it gave him extreme pleasure to meet these distinguished men. So far as Hawaii was concerned he had a firm faith in the improvement of her political situation. The President understood the situation and if it did not improve he would know the reason for it. Mr. Carter had done excellent service in aiding the President to a better knowledge of the forces that were at work in disturbing harmony. The Governor told several stories about Hawaiian experiences which greatly pleased his audience. He closed by thanking the eminent representatives of the National Congress for affording him an opportunity to meet them.

Mr. Haywood then stated that he did not intend to ask for speeches, and he would follow the legislative plan of going into a "committee of the whole" and would ask Speaker Henderson to take the chair.

The Speaker was in an uncommonly pleasant mood. He said that he had done all that he could to facilitate the establishment of good government in Hawaii. He was glad that Governor

had law, which, according to the dictionary meaning, left no question in the minds of the judges that "either" meant that one of the three only could hold court. Judge Humphreys was of the opinion, in replying to arguments, that the question was one which concerned the vital interests of the community, inasmuch as the decision in a case under present circumstances might not be valid.

In a case involving only a few hundred dollars there was not so much at stake one way or the other, but where a case involved large sums of money, there was need to know definitely whether the other two judges had the legal right to sit during term time as well as the presiding judge. Mr. Dickson made an able argument in support of the affirmative side, contending that all points in the law pointed to the right of the three judges to sit separately during the term, having equal jurisdiction with the presiding judge.

Mr. Magoon thought likewise and called attention to a portion of the Hawaiian statutes giving rule for construction of statutes under which the Circuit Court shall consist of three judges, either of whom "may hold court" his opinion being that it provided for separate sittings.

Robertson desired to know on what authority the judges selected one of their number as presiding judge, saying there was nothing in the statute providing for such a course. He contend that if the First and the Third Judges decided that one of the two should sit, the Second Judge could say he also had the right to preside, and there was a question as to which one had the right to call himself the presiding judge. One would have as much right as the other.

One attorney said that the most far-reaching effect of a failure to decide the question one way or the other would be in divorce actions, and that such failure to decide would entail all manner of hardships upon divorced persons who had married again.

DOES NOT LIKE RULES

During the session of Judge Gear's court yesterday morning Cedric Brown arose to complain of the rules just promulgated by the judges of the First Circuit. He considered them invalid because they had not been passed upon by a majority of all the judges in the Islands. The rules of the Circuit Courts should be uniform, and to be regular, should be passed upon by all the judges. Attorney Stewart said that he understood the courts and attorneys were following ordinarily the American procedure, and he regretted that the Bar Association had not been given an opportunity to make some suggestions regarding the rules. Judge Estee had taken such a course, and had taken the bar into his confidence. Judge Humphreys did not think the bar should complain as he remembered having asked the bar to make suggestions, which it had failed to do. Mr. Stewart explained that he was only referring to the time when Judge Robinson became a member of the bench. Judge Humphreys stated the judges had talked of the matter over and came to the conclusion that the bar was indifferent

Dole had come to Washington and had seen the President. Turning to him he said: "We are with you, Governor Dole; we trust you and we will stand by you." The Speaker then made some humorous allusions to the visit of "Joe" Cannon to the Islands, and his deep knowledge of the customs and habits of the natives.

He then called upon Senator Cullom, who said that he had been on the commission to frame an organic act for the Hawaiian Territory. He had been in the Islands and knew their condition. He had favored the provision for a limitation of the suffrage for he thought it wise. But Congress did not take his view of the matter and he had acquiesced in its decision. IF THE NATIVES SHOULD PROVE THEMSELVES UNABLE TO MAINTAIN GOOD GOVERNMENT IN HAWAII, THEY WOULD BE IN GREAT DANGER OF FORCING CONGRESS TO ESTABLISH A LIMITED SUFFRAGE.

Senator Foraker then spoke at some length on the expansion movement, and his own connection with it. Turning to Governor Dole, who sat at his side, he said: "The President is with you, and you go back to your Islands knowing that you are sustained."

The Speaker then called on Mr. Cannon, who spoke with much feeling about the pleasure of his visit to the Islands, and his earnest wish that the government established under the organic act would be successful. He was glad that Governor Dole was sustained.

Speaker Henderson then called on Mr. Armstrong, who said that about eight thousand Anglo-Saxons in Hawaii were matched against over one hundred and forty thousand people, alien in race, in thought, in customs and sentiment to the Americans. American institutions had been established there seventy years ago by the ancestors of Governor Dole, Thurston, Carter and himself. The descendants of those men were bound to maintain these institutions. There would be, no doubt, in the future, an overwhelming population of native born Portuguese, Chinese and Japanese, but they were born within an American environment, were largely free from their inherited traditions, and under the influence of their new education and associations would become American citizens of an excellent type and the Nation would not be ashamed of them. Congress had given the native population unlimited suffrage, on the theory that they knew how to govern themselves. Professor Tyndall once said that the tragedy of science was a "Beautiful Theory killed by an Incontrovertible Fact." The natives had exhibited the Tragedy of Politics. "The Beautiful theory of Democracy killed by an Irresponsible vote."

In response to a call from the Speaker, Chairman Knox, of the committee on territories, made a brief speech, in which he alluded to his interest in Hawaii. He earnestly hoped that the Territory would send a Delegate who knew something about the country which he represented. It was an important matter.

At the Speaker's suggestion, Congressman Tawney led in singing Auld Lang Syne. The guests left at midnight. D. C. L.

in the premises. However, he suggested that if any member of the bar had any suggestions to make the court would be pleased to hear them. He preferred having rules rigidly enforced, and that such rules emanate from the bar and not from the judges.

ORTEZ FOUND GUILTY

The first jury case in Judge Robinson's court came to close yesterday at 5 p.m. when the jury in the Territory vs. Ortiz, larceny, brought in a verdict of guilty. Attorney Watson for defendant will present a motion to arrest the sentence of the court this morning, and sentence has been deferred until tomorrow morning. Ortiz is a Porto Rican who stole \$25, a pair of boots, a pair of spectacles and other articles from the house of a Mrs. Shaw. His accomplice was a witness for the prosecution.

JUROR IN PILIKIA

When the jury list was called yesterday morning by Judge Robinson, Juror Timmons was absent, and a citation was issued for his appearance at 2 p.m. He was then present. The judge stated that Mr. Timmons had explained satisfactorily to him a reason for his failure to attend. However, he warned jurors in general that in case any one of them could not be present, a message of some nature should reach the judge promptly so as not to keep the court waiting.

DENY CLAIMS OF BOW WONGS

Replication has been filed by petitioners in the case of the United Chinese Society, by its officers, vs C. K. Al et al (Bow Wong's faction) as follows:

Denial that on January 1, 1902, at a duly called meeting of the United Chinese Society, that C. K. Al and other defendants were duly and legally elected its officers. Petitioners deny that in accordance with the direction of the Treasurer of Hawaii, a meeting was held on the date mentioned. Denial is made that a meeting was held on April 30, 1902, as alleged in defendants' answer. Petitioners allege that each and all of the meetings alleged to have been held were void and illegal and participated in by persons not legal members of the Society. Denial is also made that defendants have rightfully exercised the functions appertaining to the respective offices. Denial is also made that no protest was filed against the alleged list of officers.

Judge Humphreys yesterday signed the order approving the accounts of M. G. Silva, administrator of the estate of John da Costa, deceased, and discharging said administrator. The latter is directed to pay into court the distributive shares of the minor heirs of said deceased.

PREJUDICED AGAINST PORTO RICANS

Juror Prescott was excused from serving in the Ortiz larceny case yesterday because he expressed a poor opinion of Porto Ricans as a class. He said he had scruples about sitting as a juror in a case where a Porto Rican was defendant. He intimated that such a defendant would care little about the truth of statements made by him, except that it assisted to get him

STOPPERS NOT OF LEAD Board of Health After Soda Water.

(From Thursday's daily.)

The Board of Health's meeting yesterday was marked chiefly by the reading of departmental reports, discussion of measures for barring out cholera, and the tabling without comment of the Republican Central Committee's resolutions respecting Father Wendell. The report of the City Sanitary Officer on condemned ponds was read. This official called attention to the excavation at the corner of King and River streets, which had had six inches of water standing in it all winter, though covered with dirt.

At King and Ala streets one place yet holds water two weeks after a rain. Discussion of places at Kaha which are occupied by duck ponds which the Board wishes to condemn went over to next week.

The Board acquiesced in the request to reopen the wholesale fish market at Waikiki, Hilo, and denied the request to establish a fish market in Hilo. Dr. F. W. Taylor was reported on favorably by the Board of Examiners, and a license will issue to him.

Dr. Shorey, food commissioner, made an additional report regarding lead in soda water stoppers, in which he stated the original Hutchinson stopper was free from or contains very little lead, but the patent having run out, there are imitations which are cheaper and contain a large amount of lead in the coating. The Consolidated Soda Water Works have found that they have had both kinds in use and have abandoned the stoppers which they know to contain lead. Four bottles of lemon soda of the Consolidated Works were examined and in each case the inner side of the stopper was found coated with crystals of lead salts amounting to several milligrams. Dr. Shorey sums up the situation saying that certain manufacturers here are selling aerated waters in bottles whose stoppers contain so large an amount of lead that sufficient is dissolved to be injurious to users. Other stoppers may be used, and the Board is advised to require the use of such as will not contaminate the water.

City Sanitary Officer Tracy makes the following comment in his report: "A tenement house owner piped the overflow from his cesspool to the Nuuanu stream, and concealed the outlet. We located it at low tide and had the man arrested. Twenty-five dollars and costs was his fine. He has since fixed his cesspool."

TRAMWAYS TO WASHINGTON. The Hawaiian Tramways Company yesterday filed with Chief Justice Frear of the Territorial Supreme Court a petition for writ of error from the United States Supreme Court for the correction of alleged errors complained of in the petition, and the same was allowed by the Chief Justice. The Tramways Company represents that on April 25, 1901, judgment in the cause was given in favor of the Rapid Transit Company, adjudging that the Tramways had not the right to lay a double track on King street from the Walkiki road to a point near the pumping station at Kaliihi, and that the petitioner had not the right to use electricity in operating its system. The petition is a long one and recites the history of the company's franchise and the acts of legislature granting the franchises. The Tramways Company claims that it is aggrieved by the decision and that the decision was adverse to the rights, titles, privileges and immunities set up and claimed by the petitioner.

SAID HE WAS UNAMERICAN.

Edgar Heniques, called as a juror yesterday in Judge Robinson's court, made the startling statement when asked to be excused from jury duty that he was un-American and unfit to serve on an American jury. He explained that he had been so dubbed in Judge Estee's court by an attorney when he was a member of the jury in the Sodergreen case. Judge Robinson said that such a statement did not necessarily mean that he was permanently unfit for jury duty, and "so long as you have not been convicted of an infamous crime you are not disqualified." he remarked as he denied the request.

J. W. Lloyd, absent on Maui, C. C. Conradt and H. M. Whitney Jr. were excused for the term, and C. W. Macfarlane until May 15. Edward Brown stated that his business would be seriously crippled as he was the only one connected with the local branch of a Chicago firm. He was excused.

Brief for the stockholders in the Kamalo case was filed yesterday afternoon with Chief Justice Frear by Hatch and Marx.

The case of the Territory vs. Figueredo et al will be taken up at 10 o'clock in Judge Robinson's court.

COURT NOTES

Frank Leonard, a subject of the Empire of Austria, was naturalized in Judge Estee's court yesterday, in the presence of Henry Mayer and E. A. Wilcox. Leonard is a corporal at Camp McKinley.

H. J. Moosmann asked to be excused from jury duty in the Circuit Court on the ground that he had a bronchial trouble which might interfere with the hearing of the case. The judge decided that he would give Mr. Moosmann an opportunity to serve.

NO LOSS OF TIME

I have sold Chamberlain's Colic, Cholera and Diarrhea Remedy for years, and would rather be out of coffee and sugar than I would be the bottle of it yesterday to threshers that could go no farther, and they are at work again this morning—H. R. Phelps, Plymouth, Okla U. S. A. As will be seen by the above the threshers were able to keep on with their work without losing a single day's time. You should keep a bottle of this Remedy in your home. For sale by all dealers and druggists. Benson Smith & Co., Ltd. agents for Hawaii

FOR BABY'S SKIN SCALP AND HAIR

Something for Mothers to Think About

EVERY CHILD born into the world with an inherited or early developed tendency to distressing, disfiguring humours of the skin, scalp, and blood, becomes an object of the most tender solicitude, not only because of its suffering but because of the dreadful fear that the disfigurement is to be lifelong and mar its future happiness and prosperity. Hence it becomes the duty of mothers of such afflicted children to acquaint themselves with the best, the purest, and most effective treatment available.

That warm baths with CUTICURA SOAP to cleanse the skin and scalp of crusts and scales and gentle applications of CUTICURA Ointment to instantly allay itching, irritation, and inflammation, and soothe and heal, to be followed in the severest cases by mild doses of CUTICURA RESOLVENT are all that can be desired for the alleviation of the suffering of skin-tortured infants and children and the comfort of worn-out worried mothers has been demonstrated in countless homes in every land. Their absolute safety, purity, and sweetness, instantaneous and grateful relief, speedy cure, and great economy leave nothing more to be desired by anxious parents.

Complete External and Internal Treatment for Every Humour. Consisting of CUTICURA SOAP, to cleanse the skin and scalp of crusts and scales, and of CUTICURA Ointment, to instantly allay itching and irritation, and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. Sold throughout the world. Agent Depot: R. TOWN & CO., Sydney, N. S. W. So. African Depot: LINNONS LTD., Cape Town. How to Cure by HUMMERS, free. POTTER DRUG AND CHEM. CORP., Boston, U. S. A., Sole Prop., CUTICURA REMEDIES.

A GOOD TOP BUGGY, \$100.00

WAGONS,

SHIPPING INTELLIGENCE.

ARRIVED.

Tuesday, May 6.
S. S. Ventura, Hayward, from Pago Pago, Auckland and Sydney, at 11 p.m.
Stmr. James Makee, Tullett, from Anahola and Hanamaulu, at 3:45 a.m. with 2800 bags sugar, 3 pkgs. sundries.
Stmr. Iwaihali, Greene, from Kilauea, at 7:40 a.m. with 3831 bags sugar and 3 pkgs. sundries.

Wednesday, May 7.
S. S. Doric, Smith, from San Francisco, 1 p.m.
Stmr. Waialeale, Piltz, from Anahola at 6:30 a.m. with 3416 bags sugar and 1 piece of lumber.
Stmr. Mikahala, Gregory, from Kauai ports at 4:45 a.m. with 4809 bags sugar, 44 pkgs. sundries, 1 horse.
Stmr. Lehua, Napala, from Molokai ports at 5:30, with 25 head cattle, 4 pkgs. sundries.

Thursday, May 8.
S. S. Miowera, Hemming, from Suva, Brisbane and Sydney, at 11 a.m.
S. S. Sonoma, Van Oterendorp, from San Francisco, at 8 a.m.
Stmr. James Makee, Tullett, from Anahola, at 7:45 a.m. with 2762 bags sugar.
Gas. schr. Eclipse, Townsend, from Lahaina, Kihet, Makena, Kallusa, Na-poopoo and Hookena, at 1 a.m.
Am. schr. Otelia Pederson, Hanson, 62 days from Newcastle, at 8 a.m.

DEPARTED.

Tuesday, May 6.
Stmr. Kinau, Freeman, for Hilo and way ports, at 5 p.m.
Stmr. Claudine, Parker, for Maui ports, at 5 p.m.
Stmr. W. G. Hall, S. Thompson, for Kauai ports, at 5 p.m.
Stmr. Nihau, W. Thompson, for Hamamau, Kolos, Waimea and Ahu-kihi, at 5 p.m.

Schr. Chas. Levi Woodbury, Harris, for Hilo, at 5 p.m.
Stmr. Mauna Loa, Simerson, for La-haina, Maalaia, Kona and Kau ports, at 3 p.m.
Schr. Lady, Moki, for Koolau ports, at 8 a.m.

Wednesday, May 7.
S. S. Ventura, Hayward, for San Francisco, at 3 p.m.
Stmr. Iwaihali, Greene, for Kilauea at 5 p.m.
Stmr. Lehua, Napala, for Maui and Molokai ports, at 5 p.m.

Thursday, May 8.
S. S. Miowera, Hemming, for Victoria and Vancouver, at 4 p.m.
S. S. Doric, Smith, for the Orient, at noon.
S. S. Sonoma, Van Oterendorp, for Pago Pago, Auckland and Sydney, at 6 p.m.
Stmr. John Cummins, Searles, for Waianae, at noon.
Schr. Alice Kimball, for Hookena, at 6 p.m.
Stmr. Mikahala, Gregory, for Eleo, Hanapepe, Makawali, Waimea and Kekaha; mail and passengers for Ko-lea, at 6 p.m.
Stmr. James Makee, Tullett, for Ana-hola, at 5 p.m.

Shipping Notes.

The Ventura took 620 bags of sugar from here.

The transport Logan is due from the coast today.

The gunboat Wheeling leaves for Samoa on Saturday.

There were three ocean steamships in port yesterday.

The Doric sailed for San Francisco at noon yesterday.

The gunboat Wheeling sails tomorrow for Pago Pago.

The transport Logan sailed from San Francisco for Manila May 1.

The bark Mohican cleared from San Francisco for Honolulu, April 29.

The bark Annie Johnson sailed for Hilo from San Francisco April 29.

The U. S. F. C. S. S. Albatross sails for a cruise around Laysan Island to-morrow.

Captain O'Brien succeeds Captain Weddon as commander of the S. S. Eureka.

The schooner Mahukona, long overdue from the Philippines, has arrived in San Francisco.

The S. S. Enterprise, which arrived in San Francisco from Hilo on April 24 reported the overdue British ship "Crown," from Newcastle, for San Francisco with coal.

The S. S. Australia is to be taken off Tahiti and put on the route with the Enterprise. The Mariposa and Alameda will cover the Tahiti mail contract. The two vessels will have semi-monthly trips, calling at Honolulu and Papeete.

OCEANS & CO.

SAN FRANCISCO, May 1.—The un-official statement of the Oceanic Steamship Company from March 18th to April 15th, 1902, shows total earnings of \$198,425.68, to which should be added \$20,870.84, small earnings steamship Sora, voyage 6, which was credited in last month's account, leaving a net loss on trade of \$6,943.04. Expenses and sundry disbursements amounted to \$16,425, of which \$50,408.69 was charged to betterments, \$6,429.17 being an account of work on the Mariposa. There was due John D. Sprockels & Bros. Company from the steamship company on April 15th, \$64,124.04, deducting \$114,193.20 for various amounts due, coal on hand, etc., leaves net overdraft of \$349,930.84.

SONOMA SIGHTED
SEVERAL THINGS

The S. S. Sonoma arrived from San Francisco about 7:30 a.m. yesterday. The trip was a pleasant one, with the exception of a couple of showery days at the start. On the way down a dead whale was sighted, the huge mammal being over 100 feet long. A large oak tree was also sighted about 200 miles from the island, which resembled wreckage at a distance.

The Sonoma brought fifty-five sacks of mail and the evening papers of May 1. Among the passengers for Honolulu were Frederick Warde and company, Land Commissioner Boyd, L. E. Thayer, father of W. W. Thayer; Mrs. E. P. Dole and sister, and Alec Watson.

The through passengers included Sir Henry Rawson, K. C. B., Governor General of New South Wales; Lady Rawson; Sidney Drew, son of the actress, and Tom Naun and wife, vaudeville artists from the States.

The Sonoma brought 20 tons of freight for here. She had 2700 tons of flour aboard for New Zealand and Australia. The vessel sailed for Pago Pago, Auckland and Sydney at 6 p.m.

DECREE IN
HIND CASEMorgan Concealed Nothing in
Hands.

Judge Humphreys signed a decree yesterday in the case of Robert Hind vs. Eben P. Low, dissolving the co-partnership formerly existing between the parties of action. The judge says:

"The court being of the opinion that the articles of co-partnership attached to the bill of complaint herein entitle the complainant to a dissolution of the co-partnership existing between himself and the defendant absolutely and of right, doth order, adjudge and decree that the co-partnership heretofore existing between the same is hereby dissolved, with leave to the complainant to present for the consideration of the court such further and other decrees as may be necessary to settle and adjust the affairs of said co-partnership, and with leave to the defendant to amend his answer or file a cross-bill for the purpose of praying for the reformation or amendment of said articles of co-partnership."

HAD SEVERAL CALABASHES.

Malle Kekua, half-sister of Maraea Kepena, deceased, late of Manoa, has petitioned to have the will of decedent admitted to probate. The petitioner sets forth that Maraea Kepena, who was better known as Maria Coffin, died at Manoa on or about April 20, 1902, leaving property in Manoa valley, valued at \$5000, and personal property consisting of clothing, jewelry, one lady's gold watch, eight kou calabashes and one carriage horse, all of the value of \$250. The will named John Amoe (k), Fohukaleponi (k), Manuel K. Rosa, P. Evaline (w), and the petitioner as devisees and legatees. The matter will be heard on Monday, June 16.

PAIN ANSWERS RAPID TRANSIT.

W. H. Pain, a defendant in the case of Jas. H. Boyd, Sup't. of Public Works, vs. Waikiki Land and Loan Association, filed a demurrer yesterday with his attorneys, Dunn and Breckon, and by protestation, not confessing all or any of the matters and things mentioned, demurred as follows: First, that the plaintiff has no legal capacity to sue; second, that there is a misjoinder of parties defendant; third, that the complaint does not state facts sufficient to constitute a cause of action.

Similar answer is made by the Hawaiian Tramways Co. Ltd.

Replications of plaintiff in the action of the Sun Kwon Mao Co. vs. Waikiki Land and Loan Association, the Honolulu Rapid Transit Co. and Jas. McKee were filed in answer to defendants, Waikiki Land & Loan Association and Jas. McKee.

NOT CONCEALED IN HANDS.

Jas. F. Morgan, garnishee in the as-suspect action of Macfarlane & Co., vs. Waikiki Beach Co., Ltd., in his answer denies that the "goods, chattels and effects of the defendant are concealed in his hands so that they cannot be found to be attached or levied upon, or were so concealed in his hands at the time of service of the process herein upon him." He admits that on the day service of process was made upon him he was indebted to the defendant in the sum of \$16.90, which he is now holding subject to the order of the court.

PROBATE DAY.

The following probate matters are set for hearing today: Estate Akoi, petition for administrator; estate E. C. Macfarlane, petition for probate of will; estate Jas. Horne, a minor, master's report; estate Tui Naehuelia, report of guardian; estate Jas. Robinson, account and master's report.

COURT NOTES.

Jonah Shaw, as guardian of the estate of Evelyn N. Bidwell, a minor, has filed final supplementary account showing total receipts of \$1196.39, total disbursements \$225, leaving a cash balance on hand of \$971.39.

Stipulation has been filed by plain-tiffs and defendants in the case of J. A. McGuire and E. M. Magoon vs. Chin Kew, under which the fire insurance policy of the L. & I. Insurance Co. and fire insurance policy is withdrawn from the file of the court by the defendant.

It is further stipulated and agreed that the face of said policies may be changed by substituting the words "C. F. Reynolds, Receiver," for the words "Chin Kee, Gnau and J. Alf'd Magoon," so that in case of loss, the policies may be payable to said receiver.

Sister Albertina, trustee for Stella Cockett, plaintiff in ejectment action against Kapiolani Estate, Ltd., David Kawananakoa, Jonah Kalanianaole, A. T. Atkinson and Kalikai, has filed a discontinuance in the action.

Motion was filed by Andrews, Peters & Andrade, attorneys for defendant L. & I. Divorce libel of Lizzie Christley vs. Thomas Christley to have the case moved on the calendar for the present term.

Suits were filed in the Circuit Court yesterday by the Heiau Agricultural Company vs. Territory of Hawaii, and the Kaneohe Ranch Company vs. Territory of Hawaii, regarding the fishing privileges and rights fronting both the corporations on the Koolau side of Oahu.

The Jury in the case of the Territory vs. J. T. Figurado, Manuel Carvalho and J. J. Souza, charged with assault and battery on one Manuwalu, returned verdict of not guilty late yesterday afternoon.

UNITED FOR
AN EXHIBIT

(Continued from page 1)

interested in our welfare, which will result in great good to us in many ways. It would certainly be to our great disadvantage should we fail to avail ourselves of the present opportunity. If we expect to gain recognition from those in authority, we must show that we are worthy of consideration, and no better method can be adopted than to demonstrate our resources and call attention to the importance of our localities.

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The through passengers included Sir Henry Rawson, K. C. B., Governor General of New South Wales; Lady Rawson; Sidney Drew, son of the actress, and Tom Naun and wife, vaudeville artists from the States.

The Sonoma brought 20 tons of

HAWAIIAN GAZETTE.

FRIDAY, MAY 9, 1902.

SEMI-WEEKLY.

THE HAWAIIAN GAZETTE.

THE HAWAIIAN GAZETTE.</div